Board Meeting  
March 18, 2014  
2:00 p.m. - Board Room

I. BOARD COMMITTEE MEETINGS
   A. Board Curriculum, Instruction and Assessment Committee Meeting – 2:00 p.m.

II. PRELIMINARY ACTIVITIES – 3:00 p.m. 
   Dr. Turrentine  A. Call to Order  
   Ms. Braude  B. Pledge of Allegiance  
   Dr. Delgado  C. Ordering of the Agenda

III. COMMUNICATIONS: BOARD OF EDUCATION / SUPERINTENDENT / PUBLIC

IV. PRESENTATIONS
   Ms. Benitez  A. Recognition of the winners of the Los Angeles County Office of Education’s Eighth Annual Student Art Exhibition, and the seventh Annual Los Angeles County Regional Poetry Out Loud Competition

V. HEARINGS
   Ms. Benitez  A. The Aspire Ollin University Preparatory Academy, Grades 6-12: Renewal Petition received on appeal (Enclosure)  
   Ms. Benitez  B. The Aspire Antonio Maria Lugo Academy, Grades K-6: Renewal Petition received on appeal (Enclosure)

VI. REPORTS / STUDY TOPICS
   Ms. Benitez  A. Head Start Regionalization and Realignment of Service Areas  
   Ms. Andrade  B. Adjudication Issues: Interdistrict Attendance Appeals/Expulsion Appeals (Enclosures)

VII. CONSENT CALENDAR RECOMMENDATIONS (none)

VIII. RECOMMENDATIONS
   Dr. Ybarra  A. Approval of First Reading Board Policy BP 0420.4 (Charter Schools), BB 9323.2 (Actions by the Board), BP 5141.21 (Admin Med. Monitoring Health Condition), BP 5146 (Married Pregnant Students), BP 6142.6 (Visual Performing Arts), BP 6142.91 (Reading Language Arts Instruction), BP 6162.51 (State Academic Achievement Tests)
IX. CLOSED SESSION
Ms. Andrade  A. Conference with Legal Counsel – Potential Litigation – One Case Pursuant to Government Code Section 54956.9(b)

X. INFORMATIONAL ITEMS
Dr. Delgado  A. Governmental Relations
Dr. Turrentine  B. Board Committee / Liaison Reports
Dr. Delgado  C. Los Angeles County Board of Education Meeting Schedule, Establishment of Meeting Times, Future Agenda Items, Follow up

XI. INTERDISTRICT AND EXPULSION APPEAL HEARINGS (none)

Dr. Turrentine  XII. ADJOURNMENT
Board Meeting – March 18, 2014

Item IV. Presentations

A. Recognition of the winners of the Los Angeles County Office of Education’s Eighth Annual Student Art Exhibition, and the seventh Annual Los Angeles County Regional Poetry Out Loud Competition

The Superintendent and Board will recognize winners of the following competitions:

The Los Angeles County Office of Education’s seventh Annual Student Art Exhibition: There are twenty-one winners eleven from the elementary level and ten from the secondary level. The artwork was selected from over 175 entries across the county. Judges scored the entries on creativity, media, and craftsmanship.

The Los Angeles County Office of Education’s Seventh Annual Poetry Out Loud contest: There is one winner.

Raynette Sanchez, Director, Division of Curriculum and Instructional Services (CIS), and Shannon Wilkins, Consultant III, Leadership and Visual and Performing Arts, CIS, will be available during the recognition of winners.
Item V.  Hearings

A. The *Aspire Ollin University Preparatory Academy*, Grades 6-12: Renewal Petition received on appeal (Enclosure)

*Aspire Ollin University Preparatory Academy* submitted the appeal of its renewal petition to the Los Angeles County Board of Education following denial by the Los Angeles Unified School District Board of Education.

*Education Code (EC)* section 47607(a)(2) provides that renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605(b).

Education Code Section 47605(b) provides that within 30 days after receiving a charter petition, the Los Angeles County Board of Education shall hold a public hearing for the purpose of determining the level of support for the charter petition by teachers, employees, and parents of the proposed charter.

Within 60 days, the Board shall review the petition and information provided at the public hearing and either grant or deny the petition, unless a 30-day extension is agreed to by petitioner(s) and the Board.
Aspire Ollin University Preparatory Academy
Formerly Aspire Centennial College Preparatory Academy

RENEWAL CHARTER for the term July 1, 2014 through June 30, 2019

CDS Code: 19-64733-0112128

Appeal Submission to Los Angeles County of Education
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February 12, 2014

Elise Darwish, Lead Petitioner  
Aspire Ollin University Preparatory Academy  
2565 E. 58th St.  
Huntington Park, CA 90255

Dear Elise Darwish, Lead Petitioner:

On February 11, 2014, the Los Angeles Unified School District Board of Education voted to deny the renewal charter petition for Aspire Ollin University Preparatory Academy. When a school district denies a charter petition, the petitioner may file an appeal, in this case, to the Los Angeles County Board of Education.

Please contact the Los Angeles County Office of Education, 9300 Imperial Highway, Downey, CA 90242, if you decide to appeal the District’s decision. The phone number to the LACOE Charter Schools Office is (562) 922-8806. The Los Angeles County Office of Education will inform you of its procedures and requirements for filing an appeal. The Los Angeles County Office of Education will contact the LAUSD Charter Schools Division regarding the forwarding of documents.

You may contact Ms. Melida Domínguez at the Charter Schools Division at (213) 241-0399 to arrange a date and time for pickup of the petition binder.

Sincerely,

José Cole-Gutiérrez  
Director

c: Dr. Robert Perry, Administrative Coordinator  
Tom Nichols, Senior Coordinator  
Rene Cardona, Specialist
February 21, 2014

Elise Darwish, Lead Petitioner
Aspire Ollin University Preparatory Academy
2565 E. 58th St.
Huntington Park, CA 90255

Dear Elise Darwish, Lead Petitioner:

On February 11, 2014, the Los Angeles Unified School District's Board of Education held a public hearing to consider staff recommendation to approve the charter renewal petition for Aspire Ollin University Preparatory Academy. As you know, the Board of Education denied the charter renewal petition. Please find attached the following documents constituting the Board of Education's Findings of Fact for the denial of Aspire Ollin University Preparatory Academy:

- Attached stamped board report from February 11, 2014 (see item #8)
- Transcripts from the board proceedings
- Board report and Informative

If you have any questions, please contact Dr. Robert Perry at (213) 241-0399 or via e-mail at robert.perry@lausd.net.

Sincerely,

José Cole-Gutiérrez
Director

c: David Holmquist, General Counsel, LAUSD
Jefferson Crain, Board Secretariat, LAUSD
Dr. Robert Perry, Administrative Coordinator,
Roll Call

Pledge of Allegiance

Board President’s Reports

- Committee Chair Reports
- Labor Partners Update

Superintendent’s Reports

- Arts to the Core Update
- Local Control Funding Formula and Local Control Accountability Plan Development Update

Consent Items

Items for action below assigned by the Board at the meeting to be adopted by a single vote. Any item may be pulled off of consent for further discussion by any Board Member at any time before action is taken.

New Business for Action

1. Board of Education Report No. 221 – 13/14 ADOPTED BY CONSENT VOTE
   Facilities Services Division
   (Contract Actions) Recommends approval of actions that have been executed within the delegated authority of the Superintendent as listed in Attachment A, including the approval of award of 11 advertised construction contracts for $3,113,790; 1 job order contract award for $1 million; approval of change orders for approximately $738,000; the completion of 10 contracts; the award of 32 informal contracts totaling $455,476; the award of 5 architectural and engineering contracts, the award of 2 technical services contract and professional services contract amendments for fire alarm monitoring and storage tank maintenance, and the approval of extra services contracts totaling approximately $1.3 million. Additionally, recommends approval of contract action not under the delegated authority as listed in Attachment B, for elevator maintenance and repair for approximately $1.4 million and professional services contracts amendments not-to-exceed $32,000,000.
2. Board of Education Report No. 224 – 13/14  ADOPTED BY CONSENT VOTE (AMENDED TO APPROVE REVISED ATTACHMENT A WITHDRAWING ADVANCED LEARNING CENTERS CONTRACT 4400002563) (Procurement Actions) Recommends approval of procurement actions taken by staff within the delegated authority of the Superintendent for professional services, agreement amendments and purchases within the delegated authority as described in Attachment A for a total amount of approximately $11.4 million for tobacco use prevention services, collective bargaining development, grant contract assistance, teacher professional development, auditing services, document control services, and 9,957 procurement transactions and low value contracts. Additionally, recommends approval of professional services contracts and goods and general services contracts with agreements and amendments for amounts over $250,000 not under the delegated authority as detailed in Attachment B, including occupational medical evaluations, lease purchase of 7 truck tractors, and a time extension amendment for Avaya communications systems and equipment, for a total authorization amount increase of approximately $2.3 million.


4. Board of Education Report No. 228– 13/14  ADOPTED BY CONSENT VOTE Human Resources (Approval of Routine Personnel Actions) Recommends approval of 4,155 routine personnel actions such as promotions, transfers, leaves, terminations, etc.

5. Board of Education Report No. 229 – 13/14  ADOPTED BY CONSENT VOTE Human Resources (Approval of Non-Routine Personnel Actions) Recommends the dismissals of 1 classified employees, the suspension-dismissals of 4 classified employees, the rescission of dismissal of 4 classified employees.


   ADOPTED AS AMENDED

   (Amended To (1) Change Proposed Action To “Deny Renewal Of The Charter”, and (2) Add To Action Proposed That the Superintendent add as a District legislative and regulatory priority clarification of the law and regulations so that only charters that choose an LAUSD SELPA will be approved by the Board of Education.)

   (Approval of the Renewal of the Charter for Aspire Ollin University Preparatory Academy) Recommends the approval of the renewal of the Charter for Aspire Ollin University Preparatory Academy for 5 years to serve 600 students in grades 6-12 at the school located at 2540 East 58th Street, Huntington Park, CA, 90255.


   ADOPTED BY CONSENT VOTE

   (Approval of the Charter for Community Preparatory Academy) Recommends the approval of the charter for the Charter for Community Preparatory Academy for 5 years to serve 550 students in grades K-8 at a proposed location in the Crenshaw area in the City of Los Angeles.


    ADOPTED BY CONSENT VOTE

    (Approval of the Material Revision of the Charter for Equitas Academy Charter School) Recommends approval of the material revision of the Charter for Equitas Academy Charter School to change the education program from Grades K-5 to K-4, with the intention of implementing this change next school year.


    ADOPTED PUBLIC HEARING

    (Conditional Approval of the Renewal of the Charter for Granada Hills Charter High School) Recommends the conditional approval of the renewal of the Charter for Granada Hills Charter High School for 5 years to serve 5,500 students in grades 9-12 at the school located at 10535 Zelzah Avenue, Granada Hills, CA, 91344.


    ADOPTED BY CONSENT VOTE

    (Approval of the Charter for PUC Community Charter Elementary School) Recommends the approval of the charter for PUC Community Charter Elementary School for 5 years to serve 300 students in grades K-5 at the proposed location of 14019 Sayre Street, Sylmar, CA, 91342.


    ADOPTED BY CONSENT VOTE

    (Approval of the Charter for TEACH Tech Charter High School) Recommends the approval of the Charter for TEACH Tech Charter High School for 5 years to serve 400 students in grades 9-12 at the proposed location in South Los Angeles, in the City of Los Angeles.
Charter School Division
(Approval of the Renewal of the Charter for Valor Academy Charter School) Recommends the approval of the renewal of the Charter for Valor Academy Charter School for 5 years to serve 600 students in grades 5-8 at the school located at 8755 Woodman Avenue, Panorama City, CA, 91331.

15. Board of Education Report No. 244 – 13/14
Charter School Division
(Approval of the Renewal of the Charter for View Park Preparatory Accelerated Charter Elementary School) Recommends the approval of the renewal of View Park Preparatory Accelerated Charter Elementary School for 5 years to serve 650 students in grades K-5 at the schools located at 3855 Slauson Avenue, 3751 W. 54th Street, and 3717 W. 54th Street, all in Los Angeles, CA, 90043.

16. Board of Education Report No. 246 – 13/14
Intensive Support and Intervention

17. Board of Education Report No. 247 – 13/14
Intensive Support and Intervention
(Work Experience Education Program Secondary District Plan Renewal/Update) Recommends approval of the Work Experience Education Program Secondary District Plan and application to the California Department of Education.

18. Board of Education Report No. 248 – 13/14
Facilities Services Division
(Amendment to the Facilities Services Division Strategic Execution Plan to Define, Redefine, and Approve School Information Technology Network Infrastructure and Equipment Upgrade Projects) Recommends approval of an amendment to the Facilities Services Division Strategic Execution Plan to approve actions associated with school network infrastructure and equipment upgrade projects. This action allocates $66,161,280 in Bond Program funds to school IT upgrades, and returns approximately $644,500 of funds for other uses.

Facilities Services Division
(Authorization to Enter Into a Lease Agreement with the Los Angeles Community College District for the Harbor Teacher Preparation Academy at the Los Angeles Harbor College) Recommends authorization for District staff to execute a long-term lease for the Harbor Teacher Preparation Academy facilities located on the Los Angeles Community College Campus located at 1111 Figueroa Place, in the City of Wilmington, for a period of up to 45 years.
ADOPTED BY CONSENT VOTE
Accounting and Disbursements
(Report Cash Disbursements, Reimbursement of the Controller’s Revolving Cash Fund Donations of Money) Recommends approval of warrants for things such as salary payments for a total value of approximately $436 million, reimbursement of the Controller’s Revolving Cash Fund in the amount of $279.88, and the acceptance of 5 donations to the District totaling approximately $449,893.

ADOPTED BY CONSENT VOTE
Intensive Support and Intervention
(Youth Career Connect Grant Application Approval) Recommends authorization to submit an application to the Youth Career Connect Grant for a potential $7 million award from the Department of Labor.

22. Board of Education Report No. 256 – 13/14
ADOPTED AS AMENDED
Intensive Support and Intervention Educational Service Center
Amended to (1) continue the closure of Civitas High School, (2) Amend the Report to approve the temporary disenrollment of ArtsLab and the placement of their Pilot contract and approved plan in “inactive” status until the Board or Superintendent seeks to re-enroll students in the program at the current or another school site, (3) Amend the report to read in addition the Board of Education directs the Superintendent to report back with an analysis of the distribution of Choice programs distribution in LAUSD including but not limited to charter schools, pilot schools, magnet and SAS programs. The goal of the analysis should be to identify points of concentration, saturation and remaining choice deserts. The Board further directs the Superintendent to identify strategies for supporting District programs in areas of concentration and saturation. Finally, the Board directs the Superintendent to include concentration analysis data to the Board for consideration during new approval processes.

(Closure of ArtLAB and Civitas High Schools) Recommends approval to close ArtLAB High School at Sonia Sotomayor Learning Academies and Civitas School of Leadership at the Edward R. Roybal Learning Center campus due to low enrollment, and financial, programmatic and staffing constraints.

23. Board of Education Report No. 258 – 13/14
FAILED
Office of the Board Secretariat
(Process to Appoint an Interim Representative for Board District 1) Recommends approval of the process to appointment an interim representative for Board District 1 to serve until an elected representative is certified and sworn in by the City of Los Angeles.

Board Member Resolutions For Action (Continued on Tab 42)

24. Mr. Zimmer - Investing Priorities for Equitable Learning Environments for All LAUSD Students
(Noticed September 10, 2013 and Postponed from Previous Board Meetings)
POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, The passage of Proposition 30 and the Governor’s Local Control Funding Formula (LCFF) proposal present the Los Angeles Unified School District an opportunity to stabilize schools, invest in programs that support improved student achievement, restore essential positions and restore some of the sacrifices made by employees so the District could survive the budget crisis;
Whereas, Declining enrollment, Federal sequestration, and an unstable long-term financial picture require the District to make balanced, strategic and informed budget decisions to ensure school community stability in the coming years;

Whereas, Five years of devastating cuts to basic programs and services at school sites have dramatically affected the resources available to students and families and have negatively affected academic experiences;

Whereas, District employees have not been able to receive Cost Of Living Adjustment (COLA) increases throughout the budget crisis; and

Whereas, Governing Board of the Los Angeles Unified School District resolutions have directed the Superintendent and the Board to engage parents, community and our bargaining unit representatives in soliciting input on priorities for the Board to use when implementing the LCFF; now, therefore, be it

Resolved, That the Superintendent, in accordance with District goals, policies and mandates, prioritize stabilizing schools, re-hiring staff to fill needed positions and restoring programs as the first round of LCFF funding is delivered to the District and the Superintendent delivers budget priorities to the Board;

Resolved further, That the Superintendent be guided by the following principles as he develops stabilization, re-hiring and program restoration plans:

- Increasing student achievement and graduation
- Bringing the District in line with national averages for class size, counselor ratios, administrator ratios, and clerical and classified ratios;
- Eliminating the statutory rehire lists and returning severed employees working in temporary status to permanent status;
- Increasing student, staff and community safety in and around our school communities;
- Seeing input on funding priorities from parents, students, staff, and community members and bargaining units;

Resolved further, That the Superintendent also prioritize incremental salary restoration for all employees to meet at least the State statutes for COLA for the 2012-13 fiscal year and work with our bargaining unit partners to develop a strategy for District-wide restoration over time; and, be it finally

Resolved, That the Superintendent work with parents, students, community and bargaining units to develop immediate priority issues to be considered for funding, should Local Control Funding Formula funding be released during the 2013-14 school year.
25. Mr. Zimmer – Examining Recruitment and Staffing Challenges within LAUSD Special Education and Early Childhood Divisions (Noticed November 12, 2013 and Postponed from Previous Board Meeting) 

POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, The Los Angeles Unified School District is committed to providing every student with a quality education in a safe learning environment;

Whereas, Special Education Assistants, Special Education Trainees, Health Care Assistants, Special Needs Assistants, Sign Language Interpreters, and other Special Education classifications accepted reductions in work hours in 2012 to assist the District in balancing its budget and to avoid layoffs;

Whereas, Special Education employees report that this reduction of hours has resulted in negative impacts to student health, safety, and learning; and

Whereas, The Division of Special Education is experiencing numerous challenges related to funding and recruitment of employees; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District recognizes that employees working in the Division of Special Education help provide services that assist in assuring the health and safety of students throughout the District;

Resolved further, That the Board directs the Superintendent to work with parents, staff and others that have been affected by cuts to the Division of Special Education to evaluate the impacts the reduction in staff hours has had on student health, safety, and learning;

Resolved further, That the Board also directs the Superintendent to identify recruitment and training strategies to fill certificated and classified positions in the Divisions of Early Childhood Education and Special Education that have been difficult to staff;

Resolved further, That the Board directs the Superintendent to report back to the Board on the potential advantages and feasibility of re-instituting a career ladder training partnership and other tuition reimbursement programs for classified employees seeking Special Education credentials and/or certification; and, be it finally

Resolved, That the Board directs the Superintendent to report back in 90 days on the impact of Division of Special Education staff hours reductions on student health, safety, and learning and recruitment and training methods for Divisions of Early Childhood Education and Special Education staff.

26. Ms. Galatzan, Ms. García - Local Control Funding Formula Strategy and Implementation (Noticed June 4, 2013 and Postponed from Previous Board Meetings) 

POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, Governor Jerry Brown’s proposed Local Control Funding Formula (LCFF) attempts to rectify longstanding funding disparities between school districts across California;
Whereas, The LCFF aims to simplify education funding, and create a system that is transparent, clear and equitable;

Whereas, The LCFF does away with categorical funding, much of which no longer serves its intended purpose;

Whereas, The LCFF aims to make education funding equitable, but not equal, and to leave no student in the state behind;

Whereas, To make sure funding is equitable, and recognizing that some students need more services than others, the LCFF allocates additional funding to students who live in poverty, are foster children, or are English Learners (“supplemental” funding), and further funding on top of that to districts where more than half the students fall in one of those categories (“concentration” grants); and

Whereas, Every child in the Los Angeles Unified School District is entitled to a certain level of basic services to support his or her education; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District will continue to advocate for Governor Brown’s proposed Local Control Funding Formula in Sacramento;

Resolved further, That when education funds come to the District in the form of “supplemental” funding and a “concentration” grant, that money will follow the child to the school site;

Resolved further, That the Superintendent and his staff will come back in 90 days with different allocation models where the dollars follow the child;

Resolved further, That those models will take into consideration the base level of funding every school needs to survive and thrive—regardless of zip code, size or composition;

Resolved further, That the Superintendent will bring back a timeline to the Board for determining what that base level of funding is; and, be if finally

Resolved, That the above process to determine what services and programs are part of a school’s base funding will include parent, school, and community participation.

27. Ms. García, Ms. Galatzan – Recommiting to 21st Century Learning for Students
(Noticed December 17, 2013 and Postponed from Previous Board Meetings)

POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, The Governing Board of the Los Angeles Unified School District understands the urgency and importance of 21st century learning and the responsibility it has to students to act immediately on related matters;

Whereas, The week of December 9th through the 15th marked Computer Science Education Week, a flash point for highlighting the clear need for more exposure to technology, programming and digital media to all students;
Whereas, Common Core instructional curriculum standards require that students use computing devices for acquiring skills for digital presentations and web based research;

Whereas, The Board recognizes the importance of a timely and effective deployment of computing devices in order to accelerate student familiarity with the testing devices for the 2015-2016 Common Core Curriculum;

Whereas, On November 12, 2013, the Board voted 6-1 to move forward with Phase 2 of the Common Core Technology Project after many meetings and hours of discussion;

Whereas, A delayed vote could hinder the effective deployment of Phase 2; tablets, exploratory laptop projects and future related evaluations and slow the deployment to 38 of the districts neediest schools registered with the Office of Civil Rights for oversight; and

Whereas, Various trainings and professional development have been diligently calendared and planned out for teachers and District staff and would have to be canceled; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District authorizes the Superintendent to proceed on approved Board action of November 12, 2013, for the Common Core Technology Plan.


Whereas, The Los Angeles Unified School District and Governing Board are committed to creating academic environments for students to flourish and to build a community of life-long learners;  

Whereas, The Common Core State Standards emphasize that “To be ready for college, workforce training, and life in a technological society, students need the ability to gather, comprehend, evaluate, synthesize, and report on information and ideas, to conduct original research in order to answer questions or solve problems, and to analyze and create a high volume and extensive range of print and nonprint texts in media forms old and new;  

Whereas, In 2012-2013, less than half (48 percent) of District students were proficient or advanced in English Language Arts, 9 percentage points below the state average;  

Whereas, Research studies show that access to print materials improves children’s reading skills and improves attitudes toward reading and learning;  

Whereas, Reading at grade-level by the end of third grade is the most important predictor of school success and high school graduation;  

Whereas, A study of California school library programs and student achievement shows that test scores tend to be significantly higher for schools that have full-time certificated librarians;
Whereas, Librarians and library aides cultivate and curate information resources, teach information literacy skills, collaborate with faculty, and work with students to establish a foundation for lifelong learning;

Whereas, Currently, the District has only 98 out of a total of 726 school libraries staffed by a certificated teacher-librarian, and only 296 schools have at least one library aide; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District promotes and supports student achievement through the development of textual and digital literacy skills, and by ensuring equitable access to texts in diverse media;

Resolved further, That the Board recognizes the importance of libraries as resource centers that provide the space and opportunity for students to both learn at an individual and cooperative level within and outside of the assigned curriculum;

Resolved further, That the Board recognizes the importance of librarians and library aides as integral to schools to help students learn to access, explore, utilize and appreciate ideas, information, and literature, both textual and digital;

Resolved further, That the Board directs the Superintendent to establish a Modern Libraries Task Force comprised of a representative from each of the following:

- Integrated Library and Textual Support Services
- Office of Curriculum, Instruction and School Support
- Parent and Community Services Branch
- United Teachers Los Angeles – Library Professionals Committee
- California School Employees Association
- Los Angeles Public Libraries
- University of California, Los Angeles Graduate School of Education and Information Studies
- At least one literacy-focused not-for-profit entity for the purpose of developing a framework by which the District can guarantee all students access to an adequately stocked and staffed modern school library;
- Los Angeles County Public Libraries and, be it finally

Resolved, That the Superintendent and Task Force will issue a report within 90 days and/or prior to the creation of the 2014-2015 budget outlining recommendations for achieving the aforementioned goals. The report shall focus on:

- Outlining the current state of school libraries in the District, with regards to staffing, book collections, and technical capabilities.
- Defining the role of libraries, librarians, and library aides in support of the Common Core State Standards and the District’s Common Core Technology Project.
- Funding sources for staffing libraries and increasing access to high quality resources for students throughout the District.
- Exploring potential collaboration with the Los Angeles Public Library system and charitable organizations.
• Proposing alternative plans for making libraries accessible to students at schools throughout the District.
• Identifying and prioritizing communities with highest need for library services.


http://www.corestandards.org/ELA-Literacy/introduction/key-design-considerations

http://star.cde.ca.gov/star2013/ViewReport.aspx?ps=true&lstTestYear=2013&lstTestType=C&lstCounty=19&lstDistrict=64733-0000&lstSchool=1&lstGroup=1&lstSubGroup=1

4 Lindsay, Jim, Ph.D. “Children’s Access to Print Material and Education-related Outcomes.” Reading is Fundamental. Aug. 2010. 

5 Ackerman, Douglas L. Haves, Habits, and Have-Not: School Libraries and Student Achievement in California. Denton, Texas. 

29. Mr. Kayser - Creating Equitable Classrooms  WITHDRAWN

Whereas, The Los Angeles Unified School District (LAUSD) is the second largest school district in the nation with over 650,000 students;

Whereas, The LAUSD and the Governing Board are committed to creating the most equitable and productive learning environments for all students;

Whereas, The LAUSD has over 600 schools consisting of more than 375,000 students currently eligible for Title I funding;
Whereas, The LAUSD has historically funded schools with Title I populations of 40% and above; and

Whereas, The LAUSD only currently funds schools with student populations of 50% or greater which defunded over 20 schools for the 13-14 school year; now, therefore, be it

Resolved, That the Education of the City of Los Angeles directs the Superintendent to approve the Title I distribution for any school with a population of 40% or greater for the academic year 2014-2015 and the subsequent years.

30. Mr. Kayser - Extending Transparency to All Schools  POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, The Los Angeles Unified School District (LAUSD) is the second largest school district in the nation with over 650,000 students;

Whereas, The LAUSD and the Governing Board are committed to creating the most accountable, accessible, and transparent schools for all constituents;

Whereas, The LAUSD in 2008 enacted a policy, the LAUSD School Accountability Report Card (first distributed in January 2009), which brought accountability, access, and transparency to all stakeholders in regards to the performance and environment of local LAUSD schools;
Whereas, Vast partnerships were built in 2008, including the Office of Mayor Antonio Villaraigosa, The California Community Foundation, The United Way of Los Angeles and many more to support the implementation and distribution of the report card;

Whereas, All LAUSD schools, including all independent, conversion, and affiliated charters were participants in the initial roll out of LAUSD School Accountability Report Card program;

Whereas, Since the inception of the LAUSD School Accountability Report Card program, independent and conversion charter schools have not provided complete information; and

Whereas, All parents, students, community members and stakeholders deserve to have the most complete information from their school of choice; now, therefore, be it

Resolved, That the Board of Education directs the Superintendent to mandate that all LAUSD approved charters, including independent, conversion, and affiliated submit all required information as their non-charter LAUSD peers have done since 2009;

Resolved further, That the Board of Education of the City of Los Angeles directs the Superintendent to require the following language in each new charter petition and charter renewal petition:

A charter seeking approval, renewal, or material revision by the Board of Education will adhere to deliver the required information set forth by the LAUSD School Accountability Report Card by the same date as the local LAUSD non-charter school in their respective area. Failure to do so, will invoke the process of revocation; and, be it, finally

Resolved, That this be incorporated into the Charter Authorizing Policy as referred to in Board Rule 1008.

Board Member Resolutions For Initial Announcement (Continued on Tab 41)

31. Ms. Galatzan - Increasing Access to Computer Science Education: Taking the Next Steps in Preparing and Educating Our Students for their 21st Century Careers

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, A Bureau of Labor Statistics study predicts that by 2018 California will have 517,890 vacant positions in the computer/technology industry — and only 40,000 Californian workers with the education required to fill those openings;

Whereas, Computer and technology jobs have for the past decade been ranked among the top five highest-paid entry-level positions;

Whereas, Computer science, through the teaching of computer coding, develops the critical skills necessary for imagining, creating, and producing today's and tomorrow's technology;
Whereas, Computer science, as an interdisciplinary subject that requires critical thinking and language-development skills, teaches fundamental knowledge that will prepare students for 21st century lives and careers, regardless of their ultimate field of study or occupation;

Whereas, 98% of individuals who have completed or are pursuing computer science majors in college report having access to computer science education in high school or earlier grades;

Whereas, Chicago and other major public school districts across the country have made computer science education part of their core curriculum;

Whereas, Student interest in computer science education in Los Angeles is increasing rapidly. This is demonstrated in programs such as Code.org which, in December 2013, had more than 165,000 LAUSD students participate—with 46% percent female representation, 18% higher than the national average—in a national effort that produced 770 million lines of code;

Whereas, The District’s current computer science offerings include 40 high schools offering Exploring Computer Science courses (in partnership with the University of California Los Angeles) and 13 high schools offering Advanced Placement Computer Science courses;

Resolved, That the Board of Education is committed to preparing its students for the 21st century by expanding access to computer science education; and be it finally

Resolved, That the Superintendent return to the Board, in a period not to exceed 90 days, with a report that:

a) provides options for how the District can build upon and expand ongoing high school computer science learning opportunities;

b) examines current and potential partnerships with universities, nonprofits, and other organizations;

c) defines funding needs associated with expanding computer science and learning opportunities; and

d) explores how the District could expand computer science education to middle and elementary school students.

32. Ms. García - Celebrating March as Women’s History Month

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, Women have made significant contributions to all aspects of society, including education, politics, science, entertainment, the arts, and family health and development;

Whereas, Women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement;

Whereas, The contributions of well-known women are highlighted in literature, recordings and film;

Whereas, A tremendous number of lesser-known women have also contributed in important areas, including medicine, mathematics, aviation and women’s rights;
Whereas, The contributions of women have been celebrated in the United States since 1980, as a result of the advocacy of the National Women’s History Project;

Whereas, Children, as well as adults, have been encouraged and inspired by exposure to the accomplishments of countless women;

Whereas, Women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all;

Whereas, Despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of history; and

Whereas, Additional education is needed in order to increase the knowledge of all citizens relative to the contributions of women to the development of society; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District celebrates March as Women’s History Month; and be it finally

Resolved, That the Superintendent work with all schools and encourage students to learn more about the contributions of women in their particular fields of interest.

33. Ms. García, Ms. Ratliff – Honoring the Life and Legacy of Cesar E. Chavez

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, A passionate advocate for social justice and civil rights for the poor and disenfranchised, Cesar E. Chavez was a true American hero, and the anniversary of his birth on March 31, 2014, provides a fitting opportunity to remember and honor his many contributions;

Whereas, In 1962 Cesar E. Chavez cofounded the United Farm Workers Union to contest the poor treatment of the workers in the fields, and sought to empower those workers by organizing the first union to acquire labor contracts for farm workers in the grape fields;

Whereas, Cesar E. Chavez changed the attitudes of the workers in the fields and the nation far beyond by leading them to live the La Causa slogan, “Si Se Puede,” by empowering all to fight for civil rights and to strive for justice for all minorities;

Whereas, For more than three decades, Cesar E. Chavez led this groundbreaking organization by effecting social change through peaceful tactics such as fasts, boycotts, strikes, and pilgrimages; his union’s efforts influenced and inspired millions of Americans, forging a diverse national coalition of students, middle-class consumers, religious groups, and minorities in a hard-won struggle to achieve fair wages, medical coverage, pension benefits, humane living conditions, and perhaps most important, dignity and respect for the hundreds of thousands of farmworkers across the country;

Whereas, Cesar E. Chavez espoused the “Education of the Heart” for all students because he believed that it is not enough to teach our young people to be successful, to seek achievement, and
to make progress as individuals while forgetting about progress and prosperity for their community and while leaving friends and neighbors behind; he believed that our ambitions must be broad enough to include the aspirations and needs of others.

Whereas, In 2000, the Senate established March 31st as Cesar E. Chavez statewide holiday in recognition of the life of this outstanding Mexican-American labor leader and the contributions he has made to the State of California;

Whereas, the Cesar Chavez Day of Service and Learning was created for public school children to promote service to the communities of California in honor of the life and work of Cesar Chavez;

Whereas, even after his death in 1993, his message of non-violence, unity, and justice of all people continues on today,

Whereas, To honor his work and the millions he has inspired, Takepart.com in association with Participant Media and Pantelion Films, have initiated a petition urging President Obama to declare a National Day of Service for Cesar E. Chavez; now, therefore, be it

Resolved, That the governing Board of the Los Angeles Unified School District celebrates March 31st as Cesar E. Chavez Day to honor his legacy and urges the President to declare this day as National Day of Service; and, be it further

Resolved further, That the Superintendent encourages students, staff, school administrators, teachers, and community members to implement service-learning projects based on his life, work, and values, and realize the full intent of the State-established Cesar Chavez Day of Service and Learning; and be it finally

Resolved, That the Board instructs the Superintendent and the Office of Government Relations to communicate this resolution to Congress and the President in support of a National Day of Service for Cesar E. Chavez.

Mr. Kayser - Support of Assembly Bill 659 - Armenian Genocide Oral History Component
FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, The Los Angeles Unified School District is committed to educating students on the topics of civil rights, human rights violations, and genocide to inform students on the struggles faced by survivors living in their communities;

Whereas, In the past 150 years, millions of men, women, and children have lost their lives in genocide or mass atrocities.

Whereas, California is home to the largest number of refugees and immigrants in the US, many of whom are descendants of genocide survivors or survivors themselves;

Whereas, Between 1915 and 1923, 1.5 million ethnic Armenians living in the Turkish Ottoman Empire were killed due to massacres, forced deportations, and disease in concentration camps;
Whereas, The Nazi Party planned the persecution and murder of so-called "undesirables," Jews, Slavs, Roma, the disabled, Jehovah's Witnesses, and homosexuals, as well as political and religious dissidents. It is estimated that six million Jews, two out of every three living in Europe, and another five million people had been killed by 1945;

Whereas, In 1975 the Khmer Rouge ordered the evacuation of Cambodia's cities and forced residents to labor without enough food or rest, while also targeting suspected political dissidents and those who were educated. Between 1.7 and 2 million Cambodians died in four years;

Whereas, After the death of Rwanda's President Habyarimana, an organized campaign of violence against Tutsi and moderate Hutu civilians started across the country, resulting in an estimated 800,000 to 1 million deaths across the country in only 100 days;

Whereas, The current "Darfur Genocide" in Western Sudan began in 2003. It refers to the mass slaughter and rape of Darfuri men, women, and children;

Whereas, An oral history component – in-person testimony, video, or a multimedia options, such as a DVD or online video - added to existing curriculum would engage students by capturing the voices of victims not included in traditional historical records; now, therefore, be it

Resolved, That the Board of Education of the Los Angeles Unified School District supports Assembly Bill 659 as currently written.

Motion Requested by the Superintendent

35. Appointment of Member to the School Construction Bond Oversight Committee

ADOPTED BY CONSENT VOTE

Resolved, That Board of Education of the City of Los Angeles reappointments Quynh Nguyen as Parent Members to the School Construction Bond Citizens' Oversight Committee for a two-year term, commencing February 14, 2014.

36. Appointment of Member to the School Construction Bond Oversight Committee

ADOPTED BY CONSENT VOTE

Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the nomination of Mr. Scott Pansky, Los Angeles Chamber of Commerce, as member to the School Construction Bond Oversight Committee for a two-year term, commencing immediately, and determines that Mr. Pansky is not an employee, official, vendor, contractor, or consultant of the District.

Special Reports

RECEIVED AND STATEMENT READ


Correspondence and Petitions

APPROVED BY CONSENT VOTE

38. Report of Correspondence

STAMPED Order of Business

11 a.m., 2-11-14
Public Hearings

39. Charter for ICEF Vista Business & Finance Academy

**PUBLIC HEARING STATEMENT READ**

Consideration of the level of support for a charter petition requesting a 5-year term to serve 650 students in grades 9-12 with a proposed location in the West Los Angeles Mar Vista area of Los Angeles.

Approval of Minutes

40. 9:30 a.m. Regular Board Meeting, January 21, 2014 **APPROVED BY CONSENT VOTE**

Board Member Resolutions For Initial Announcement Continued

41. Ms. García, - Leading Transparency into the Digital World

**FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING**

Whereas, For the last seven years, the Los Angeles Unified School District (LAUSD) has worked to increase transparency and informed community engagement;

Whereas, the California State Controller is working to streamline what is already public Information at LAUSD;

Whereas, The California State Controller is contacting every County Office of Education, school district, and charter school across the State to ask them to participate in the important expansion of the State’s public compensation website – publicpay.ca.gov – by providing pay and benefit data for all K-12 public employees and school officials;

Whereas, The previous website only covered public employees employed by the State, its 58 counties, 482 cities, 4,700 special districts, and 23 California State University campuses;

Whereas, Later, 68 of 72 districts comprising California’s Community College system volunteered their compensation data and last year, the University of California system also embraced the goal of greater transparency by agreeing to submit its data by late this spring;

Whereas, Public school districts must be responsible in demonstrating how public dollars are put to work;

Whereas, Transparency leads to better accountability and more informed community engagement,

Whereas, President Obama’s education agenda envisions a nation-wide commitment to preparing all students for citizenship as informed, engaged and responsible members of society;

Whereas, K-12 will be the only area of public education not represented on the website;

Whereas, It is of the upmost importance that LAUSD be a leading partner in sharing public information and trailblazing transparency into the digital world; now therefore be it
Resolved, That the Governing Board of the Los Angeles Unified School District affirms the Superintendent’s actions in complying with the State Controller’s Office request to participate in the expansion of the State’s public compensation website.

Board Member Resolutions For Action Continued

42. Dr. Vladovic - National No One Eats Alone Day (Waiver of Board Rule 72)

ADOPTED BY CONSENT VOTE

Whereas, Social isolation is a problem that affects far too many youth in our middle schools,

Whereas, Social isolation can all too often be a precursor to teasing, bullying and even violence to oneself and others,

Whereas, Beyond Differences was established in 2010 to create an end to social isolation by changing the culture of middle school,

Whereas, Beyond Differences is dedicated to the proposition that all students should feel included, valued and accepted by their peers,

Whereas, Beyond Differences has had a tremendous impact because it is a teen-led social movement which emphasizes peer to peer training and school-based activities,

Whereas, www.beyonddifferences.org is being used as a web tool to sign up schools to encourage their participation,

Whereas, Beyond Differences Teen Board has been leading middle school assembly programs for four years and has presented to nearly 10,000 students, and

Whereas, Beyond Differences is leading National No One Eats Alone Day, “Spread the Love,” on February 14, 2014, now, therefore be it

Resolved, That the Governing Board of Los Angeles Unified School District joins Beyond Differences in proclaiming February 14, 2014 National No One Eats Alone Day and encourages all middle schools to join in this effort and hold a No One Eats Alone on their campus.

Public Comment

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.2(b)(3)). The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board of Education, which meets on the Thursday immediately after this meeting.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretary in person or by calling (213) 244-7002.

Individuals wishing to speak at a Board meeting must sign up at the meeting. There will be no sign ups in advance of the meeting. Speakers must sign up prior to the item being acted upon by the Board. Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

Bd. of Ed. Regular Meeting
02/12/14 Version

STAMPED Order of Business
18
11 a.m., 2-11-14
If you or your organization is seeking to influence an agreement, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register or call (213) 241-3330.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters, and at:
http://lpschoolboard.org/02-11-14RegBd
Items circulated after the initial distribution of materials are available for inspection at the Security Desk.
TRANSCRIPT OF TAPED PROCEEDINGS
REGULAR BOARD MEETING
TUESDAY, FEBRUARY 11, 2014

TRANSCRIBED BY:
CHICHI DANIEL
SENIOR PARALEGAL
OFFICE OF THE GENERAL COUNSEL
LOS ANGELES UNIFIED SCHOOL DISTRICT
FEBRUARY 20, 2014
Public Hearing
Board of Education Report No. 232-13/14
Charter Schools Division
Approval of the Renewal of the Charter for Aspire Antonio Mario Lugo Academy.

Board Secretariat Jefferson Crain ("Mr. Crain"): Tab 7 is the renewal of the Charter for Aspire Antonio Mario Lugo Academy, moved by Ms. Garcia, seconded by Ms. Galatzan and we have speakers. If people holding speaker cards for tab 7 could come forward, we'll hear speaker no. 1, and the other speakers should line up on the room at your right. Speaker no. 1? The person holding speaker card 1. Very good, if you could leave it right there in the basket (in the background - welcome, welcome...), the card, and speak right into the microphone.

Speaker: Ok.

Mr. Crain: Thank you.

Speaker No. 1: Hi, good afternoon, I'm the Principal of Aspire Antonio Mario Lugo Academy and I just wanted to share that we had 3 parents of special needs that, who wanted to speak on their satisfaction but had to leave due to school dismissal.

Board President Richard Vladovic ("Dr. Vladovic"): Thank you. If speaker holding card no. 2 could come forward.

[Speaker no. 2 starts to speak in Spanish but is stopped]

Dr. Vladovic: Senora, un momento please. There's going to be a translator. Thank you.

Speaker no. 2: [Through an interpreter] Good afternoon, members of the Board of Education, my name is Norma Santiago. I have a special kid. He has TBI, has TBI and I've come here to express you my experience at Antonio Mario Lugo Academy school. I've been trying on several occasions to get help from LAUSD um because of the severe disability my son has. I tried to get a lot of services and it was very hard for me to get them so I got them from AMLA and I want to thank the school for that. The school used to tell me that my son couldn't be in regular school, um regular classes. He's a very happy boy and he is sharing a lot of things with his classmates who are the same...
age he is. He's receiving services like speech therapy, occupational therapy, physical therapy, and different resources inside the classroom. And my son is going to be very successful in the school because even if he has these disabilities, this school has opened these doors for him to be successful. Thank you for your support.

Dr. Vladovic: Thank you [hand claps in the audience]. Speaker, next speaker please.

Speaker no. 3: Hi, good afternoon. My name is Maria Lura (?) and I am a parent of Antonio Mario Lugo Academy. I have 2 children, a 5th grader and a 3rd grader, and I want to thank all the school Board members, um our president Dr. Vladovic, and especially my children's school Board member Bennett Mr. Kayser. Um, I want to share with you a little about my children before they attended at AMLA. My son attended another charter Aspire school for a year where he was learning at his pace and was not held back with the rest of the class. Due to personal reasons, I had to move. When I moved to the Valley, my son was held back with the rest of the class. He lost interest in learning. He thought everything was easy and boring. Two years later, we moved back to Huntington Park looking for the quality education he had received. Um so now, I'm very happy that he has, that he has, that my children are attending Antonio Mario Lugo. Um they provide the high quality education for them that challenges my children to think big and learn more. I also like the individual attention the school provides to my children. And last, my children are very happy to be a part of the family of AMLA. So I'm here today to speak on behalf of my 5th and 3rd grade children, to thank you for supporting all public schools and to please vote yes on renewing the school that my kids love and are proud of. Thank you.

Dr. Vladovic: Thank you.

[Hand claps in the audience]

Speaker: Good afternoon. My name is Jessica Rossini(?)-Gomez. I just want to reiterate was the previous parent said. I'm also a parent of 2 students who attended Antonio Mario Lugo Academy. And like many families in Huntington Park, we all aspire to err enroll our children in a school that provides a college mentality, college degree attainment, that is something that is accessible for all. And that is something that we as parents have been able to attain there at Antonio Mario Lugo is that culture of college degree
attainment. And so with that um, I compare them to my family members who attend other schools in the community and by far these children are excelling academically and excelling socially. And so with my testimony I ask you to please, you know, renew our charter. Thank you.

Dr. Vladovic: Thank you. [Hand claps in audience] Speaker no. 4.

Speaker no. 4: David Tokofsky, speaking on the Aspire charter. Um one would assume that the significant drop in the API is an anomaly at this school. Obviously there's great work being done on special ed. as well as academics here. Um it does raise the question that if the testimony is that solid about the special ed. services then the Board may want to figure out a more consistent approach to Aspire charters with respect to what SELPA they're in. Number two, the report before you says, on page 251, that current Aspire governing board members have completed questionnaires regarding conflict of interest. This is a phrase that appears on all of the new and renewing ones. It no longer refers specifically to the state forms but refers to a vague statement as to a questionnaire being filled out. I'm not sure what that change is or what the significance is.

Finally, the school, while doing quite well, obviously with special ed. and in general with academics, has zero percent of its students identified as gifted or talented. Under the SAS program that would make them ineligible at Granada Hills charter to be applying because they're not identified as gifted. In the District approximately 4 or 5 to 1 White and Asian students are identified as gifted and African American and Latino kids are less than that, 4 to 1. If you move, the one heroic part about Granada Hills is that if you move to the west of the 405 freeway and you happen to be Latino or Black, you have a 4 times a chance of being identified as gifted as to the East. So, at least Granada Hills is moving more gifted kids to the East of the 405 freeway. The opportunities therefore under the SAS, which is what you were talking about previously, to those students in Latino and African American neighborhoods who are often not tested at 1st grade or 2nd grade are often tested at 3rd or 4th or not tested at all. I think that was the Superintendent's mandate, a year or so ago, was stop the inequities of the testing and make sure that everybody was tested. If you are not tested or you're tested late in 3rd grade or you have zero percent gifted and talented at your school, you
will therefore not be available except for the third category which the District still has which requires an incredible amount of time for the teacher to identify the kid outside the gifted for the opportunities within SAS and gifted. The Board of Ed should look at the issue not simply with respect to a charter school before you but in the cases where there are zero percent gifted identified for the inequity of testing that some schools don’t do it till 3 or 4th grade vs. 1st grade on the West side. This provides inequities in the education. Thank you.

Mr. Crain: Thank you [hand claps in audience]. Speaker no. 5. Is there someone holding a card for no. 5 for this item, tab 7? That’s all the speakers Dr. Vladovic.

Dr. Vladovic: We’re ready. Board members any discussion? Mr. Kayser?

Board Member Bennett Mr. Kayser (“Mr. Kayser”): [Starts inaudible]….prefer Mr. Zimmer….

Dr. Vladovic: Mr. Zimmer?

Board Member Steve Zimmer (“Mr. Zimmer”): Very brief discussion. [N]o one can err….I’m not concerned about, you know, small dips or rises in API. There’s no doubt that um that Aspire schools are excelling in many areas. We had long drawn out conversation about this issue last year around the SELPA …5 years ago, or 4 and half years ago when we started, charter schools were in a very, very different place and, so frankly, was our Special Ed. department. We’ve done incredible amount of work. I’ll like to point specifically to the work that ISIC Superintendent Tommy Chang in his former role um before he was on the District team, to our Director of Special Education Sharyn Howell and her team, um and to a very dedicated team from the Charter Schools, California Charter Schools Association um on the issue of special education. We um have created SELPA options within LA Unified School District that the majority of charter schools are joining that provide the creativity and outside the box thinking that’s in line with the core values of the charter movement.

Everybody has had to do some compromising. We’re in a materially different place, Superintendent, than we were 4 years ago in terms of charter schools service to students with special needs. We’re in a different place statistically, we’re also in a different place on ground. I’m proud of that work. There’s still more work to do
especially as it relates to our low and moderate instant cases. I um...and my...you know, the charter renewal process gives charters who were formally working under one SELPA the opportunity to become part of this and I believe that we’re at the point, Superintendent, where the options are robust enough under the SELPA work that we have done that we need to ensure that all charters are a part of the LAUSD SELPA options. And that’s my only objection to this, this renewal.

Dr. Vladovic: Steve, I’m going to add something. I was on page 252 and this is why I’m having a problem in supporting this charter right now. The bottom of 452 reads as follows: “for this reason, the Division of Special Education and the Office of the General Counsel believe the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with disabilities.” So based upon that, one of the major reasons I would vote against the charter is I’m concerned about their sound instructional program. They may have great scores, and which they do, and they’re doing great things but for this reason alone, I cannot support this, because of this statement. So I’m going to say no on this.

Superintendent John Deasy ("Superintendent Deasy"): So I haven’t the slightest issue whatsoever about the soundness of their educational program or their special education program. Numbers bring me comfort and the trajectory of the achievement in the school is unquestionable and unassailable. The law...We authorize and reauthorize charters within the law of the state of California. The law of the state of California indicates that the charters have a choice on SELPA. I think Board members made a number of comments which... testaments to the growth both pushed by this Board, advocated by this Board err for us and with charters. This particular err family of charters under Aspire are some of the most high performing in the state of California and in Los Angeles. I’m proud to recommend that they be part of the portfolio of how we serve students in LAUSD. I visit as many schools as possible. I also particularly have visited these two schools, and I would encourage you to see the quality of special education. I would note that this isn’t unilateral. This organization has the majority of its charters in our SELPA. There are some that aren’t; seven are, 5 participate in the other. And I think the disruption of services is the piece that I also want to make sure that the continuity takes place. So err absent this stated issue, umm that is why you
have my unqualified recommendation um for support.

Dr. Vladovic: Anyone else want to comment? Mr. Kayser.

Mr. Kayser: [started but inaudibly] the SELPA being up in El Dorado County, was it 800 hundred miles from here, to be able to do treatments and administrative things. It also concerns me that since the last review, a year ago, the status of the school has come from achieving down to services and support. So, I’m going to be voting no on this myself.

Dr. Vladovic: Um...Yes ma’am.

Superintendent Deasy: Would you then be advocating that any school in LAUSD that went from achieving to support also actually have action taken against it? When we put our school performance framework out?

Mr. Kayser: [Staring inaudibly.] I have a problem with the um charter also not participating in LA SELPA and I’m not sure exactly why I’m being questioned by you now....

Dr. Vladovic: Go ahead.

Board Member Tamar Galatzan (“Ms. Galatzan”): We’ve dealt with the SELPA issue, I don’t know how many times. It’s frustrating to all of us but this is an option made available to charters under state law. You know, and to...for us to hold...for us to say we don’t like the legal choice that you made so we’re not going to renew you, even though that’s not an option given to this Board under the state law, just doesn’t make any sense to me. I think the better cause of action in which we talked about ad nauseam is, and I don’t know if Edgar is still here, is to ask the state legislature to amend this to allow a school board to only accept charters of schools that participate in our SELPA. But I mean, I don’t think for us to...that is a legal option available to a charter and if they choose to exercise it, that’s not a reason to deny them. Under the law, it’s not. If we don’t like the legal choices that they made, we can’t deny it for that reason. We talked about this, and talked about this and talked about this, let’s change the law to give us that power. But in the meantime, I don’t think that’s a choice that we have. They’re allowed to do this. I agree, I think it’s a lousy idea. I would like to not um...renew them or authorize a charter for a school that chose this but that’s one of
the legal options they have. We can't deny it because we don't agree with them. That's not an option given to this Board.

Dr. Vladovic: Yes ma'am.

Board Member Monica Ratliff ("Ms. Ratliff"): So um...I as well had like noted the language that you mentioned at the end of page 252...um that "the Division of Special Education and the Office of the General Counsel believe the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with disabilities" and um...I think that's a great idea to try to ask the state legislature to amend the law. So I hope that some, and hopefully in future Edgar can come forward or someone can come forward and talk about how we can go about doing that. I know that we've put forward our legislative...um...priorities, if you will.

Board Member Monica Garcia ("Ms. Garcia"): I mean might someone refresh our memory about the whole...we lost. The District went out and fought, is Mr....Javier? I mean, I'd love for you to tell...make sure.... So friends, if we're gonna vote, if there're not four votes to support the school, this goes on to the County and except for a couple of our friends, they renew everything. But um...Aspire, I mean and...this is a school that I don't know well but I'm looking that it's 99% Latino, I'm looking that it's 94% Free and Reduced lunch and while there are other similar schools in the LAUSD that, well, have um similar markings, this school is a 9-rank of similar school and a 6-rank of the state err... 2012. This is an achieving place and I just want to go on record err...if votes may not be here and there may be a technicality about a fight we lost in Sacramento. But for those families that have chosen to put their children in this school, I want to support you because you help LA Unified. When more of our families understand what owning successful your kids mean. So I think people who want charters, feel free, but I'm invested in the LAUSD schools that call on the 6 of us to be their leaders and support schools who are working hard. I think so many of our schools are working really hard to bring families together, to help kids to goal. And friends, the ones that are not, I've been at a point of really tough choices where we shut them down, and in fact, there's another place where...it's a very difficult thing to say goodbye to Civitas. I helped bring that school there. There's a recommendation for
leadership. My call from my community is hey, we struggle but we’re going to continue working to bring quality options to all of our families. So, I want to hear the fight on the SELPA and just know for the record, we lost. We gave it...I mean we disagreed with the State Board or whatever, help me. I know we tried vigorously and I don’t, I know think we can do a motion right now to direct our lobbying team to set up err.... I think it’s actually on there. Aren’t we asking about for legal, law...a law that would clarify the SELPA conversation? Help us please.

Executive Director Division of Special Education Sharyn Howell (“Ms. Howell”): There’s that and a few other things. Yes, we lost and we did make a fight for it but I want to say actually that all the work that everyone has done and working with our partners in charter schools, most of the schools have come back to us. So there are not many LAUSD charter schools who are no longer with this SELPA. They’ve come back. And our goal hopefully over time is convince them through the wonderful programs and the services we provide everybody will come back to us to work together to do that. And if you decide to authorize this charter for five years, that’s our goal to work with them to bring these students back. I do believe, looking at the data, they’re doing a good job with the students with disabilities they’re serving and I don’t see anything that says otherwise. And we’ve had a strong program to bring people back. The goal really has been, in the last three years, to work as partners and to make sure that, students wherever they’re served, our students with disabilities are served; and we continue to work with Aspire and all the other charter schools to make sure that our students are served. And I believe that they’re being served there honestly.

Mr. Zimmer: Since you’ve come up here, I just want to ask if you, do have any reason to believe that if Aspire CMO made a different choice and did decide to join the SELPA, do have any reason to believe that our SELPA, err given that now is February and we have until the summer to plan, is there any reason why err there couldn’t be a continuity of services under our SELPA?

Ms. Howell: I’m not their parents; I’m not their students so I can’t speak to that issue about how their services run. Do I believe that you as the District can provide excellent special education services that we can provide and support them with? Yes. But they have...they were one of the first groups that actually moved to El Dorado [Mr.
Zimmer: I understand] when that was allowed for them to do that and they have been there all that time. [Mr. Zimmer: I understand] The others have back in those other years.

Mr. Zimmer: All I’m asking is that….Let me ask the question a different way then. Would we do everything that we could to make sure there was a continuity of services?

Ms. Howell: Most definitely, and we will work as partners to do that. I just, could I just make one other point please, and I know that this actually came up in the conversation around Granada as well. One of the things that I think legally that we want to work with, and our partners in the charter organization have been doing this too, is that we don’t have the ability to place the students at charter schools. So if a student em…what are the chances that 10 students who are deaf and hard of hearing will all get in on the same lottery out of a large number of students? And so working together we’ve been trying to say are there ways legally that spaces can be saved out of charter schools and for them to take moderate and severe students and most of our partners are working with us on that to make sure that they can take more moderate and severe students over time. So….

Dr. Vladovic: Great. Edgar, would you like to come up and umm…there was a question….

Chief of Government Relations Edgar Zazueta (“Mr. Zazueta”): I didn’t catch the whole conversation so maybe if you would restate the question, I’m sorry… if there was a question.

Ms. Ratliff: So my, actually it had been Tamar who’d originally talked about maybe trying to ask our state legislature to amend the law so that only charters that choose our SELPA be approved by the school Board. So I just want to see if we could get some feedback from….

Mr. Zazueta: So the first thing to point out is that there was some State Board of Education decision that created the system where a charter can go outside of its geographic area and sign up with a SELPA. So that was a board action some years back. We did give some consideration to exploring that issue within the legislature last year, a couple years ago. So there had been discussions but they haven’t moved beyond the place where there was ever legislation introduced or whatnot. I would say that it was a pretty
contentious issue; contentious issue at the state board level, would likely be a very contentious issue in the legislature. But by all means we could explore that. And I’m sorry I’m missing some of the context but, yeah, that was, the original action happened from the state board; there hasn’t been anything before the legislature to modify that as of date.

Ms. Ratliff: And currently, in terms of our legislative priorities, how does this fit in or has it not been...or have we not fit it in yet?

Mr. Zazueta: I think we can always modify and adopt, you know, legislative priorities throughout the year regardless of; you know, the action that was taken in January. Like I said, previous Boards have discussed this issue; I don’t know that it ever ended up on our legislative agenda but by all means, if it’s the directive of the Board, to go on, you know, pursue legislation or pursue some relief at the state board then we will explore that. We can modify the priorities throughout the year, per your direction.

Dr. Vladovic: Ok. Great. Umm...We’re going to call for the vote right now, please.

Mr. Crain: Board members, Tab 7, approval of the renewal of the Charter for Aspire Antonio Mario Lugo,

Ms. Galatzan? “Yes” vote
Ms. Garcia? “Yes” vote
Mr. Mr. Kayser? A “No” vote
Ms. Ratliff? A “No” vote
Mr. Mr. Zimmer? A “No” vote
Dr. Vladovic? A “No” vote

Item fails.

Superintendent Deasy: Could you explain what that means if the item fails? With the [...inaudible] you gave all, would someone explain....

Mr. Crain: I think that would be for Mr. Holmquist.

General Counsel David Holmquist (“Mr. Holmquist”): So the Board failed to approve the charter. That was not a denial of the charter; therefore we believe that would approve the charter.
Superintendent Deasy: That’s... I want to make sure we understood what happened with the votes that’s why I want to pause for a moment.

Mr. Holmquist: If the Board wants to deny the renewal then the Board should act to deny the renewal.

Superintendent Deasy: While they disagree, I think it’s very important that you understand that, obviously, it was against the recommendation but we want to be very transparent about this. My understanding of a vote like that is that you did not deny the charter.

Dr. Vladovic: You want to make another motion?

Mr. Holmquist: The recommended action before the Board, for more clarification, was to approve the renewal of the charter. That item failed.

Dr. Vladovic: So now, can he make a motion... [the rest of the sentence inaudible]?

Mr. Holmquist: Yes.

Dr. Vladovic: Go ahead.

[Someone asks a question inaudibly].

Mr. Holmquist: Yes. If there are 4 votes to deny the charter, the item is still before the Board.

Dr. Vladovic: Ok. Go ahead, Mr. Kayser.

Mr. Kayser: I move that we deny the charter for the Aspire Charter School.

Dr. Vladovic [in the background]: No, it’s different. He just explained that. It’s different.

Mr. Crain: Mr. Zimmer, I believe there’s a timeline, that if the Board fails to act within the timeline, then the charter is automatically renewed. I believe that’s what Mr. Holmquist is saying.

Mr. Holmquist: Correct. That is correct. It was contained in the memo that I sent the Board on this topic.

Dr. Vladovic: Right, so if we vote to deny, it’s not....
Mr. Crain: So Mr. Kayser has moved....

Mr. Holmquist: Correct. The Board is acting to deny in the conversation that the Board had will serve as the finding of facts for that, in support of that.

Dr. Vladovic: So that’s what the motion is for then....

Mr. Crain: So there’s a motion to deny the renewal of the charter and that would require a second. [Inaudible speaker in the background] Seconded by Mr. Zimmer.

Ms. Garcia: Wow, and for the record, Mr. Kayser can you just state your opposition to a good school in your neighborhood? Can you just say it, why? So many families come in and they’re being successful. I just like to hear the reason why you choose to deny this for your neighborhood.

[Unrecognized voice]: Just a moment.

Ms. Garcia: And we all represent our neighborhood as we see fit. That’s the beautiful part of democracy.

Mr. Crain: You want to report?

Ms. Garcia: But the idea that education interrupts poverty, and in our District, we have not been as successful as this school and the Board member is choosing to deny it and cause it not to exist in a high need neighborhood. Wow.

Ms. Galatzan: And this is a school with an 835 API with a 14-point increase, similar school rank of 9 out of 10. Their Special Ed. enrollment is exactly what the District did. EL population is larger than similar schools, with the declining rate of suspensions, with only one this year. It just baffles me why a school with an 835 API would be denied because we don’t like their choice of SELPA, although there’s absolutely no indication whatsoever from the head of Special Ed. that it is causing a problem. They made a legal choice that is totally legal that we’ve lost about and we’re going to deny an 835-API school because we don’t happen to agree with their SELPA? I just.... As a parent, this disgusts me to be honest. I don’t understand. We have a high performing school, an option for parents in this District that people are going to make a political statement and close because they don’t like their, one of the legal options available to
them?

Ms. Garcia: I'd like an answer. You don't want to answer? [Inaudible voices in the background.]

Mr. Crain: I'll call for the votes.

Ms. Garcia: So Richard....Excuse me Mr. Jeff....Um, the Board member can choose not to answer but I hope that the people of Los Angeles make us all accountable because seven of us.... And I feel very badly on days when School Police calls my cell phone, when I show up to schools and certainly the bleachers are busted and yes we had deferred maintenance, and yes there are technical issues you know, how we're going to spend this money. But today we're doing is denying...we're shutting down a school that is working for some kids and has been a model of how to include others. That's what's happening at the LA Unified today and I hope that we do hear from the public whether your support, whether you support this action or you don't.

Dr. Vladovic: Ok, I...I...That concludes that part of the discussion. Jeff, would you please call for the vote?

Unrecognized voice in the background (Dr. Vladovic?): No, we have to vote for ....

Mr. Crain: On the motion to, on the motion to deny the renewal of the charter, Ms. Galatzan?

Ms. Galatzan: No

Mr. Crain: A "No" vote. Ms. Garcia?

Ms. Garcia: No

Mr. Crain: A "No" vote

Mr. Kayser?

Mr. Kayser: Yes

Mr. Crain: Ms. Ratliff?

Ms. Ratliff: Yes.

Mr. Crain: "Yes" vote. Mr. Zimmer?

Mr. Zimmer: Yes
Mr. Crain: “Yes” vote. Dr. Vladovic?

Dr. Vladovic: Yes

Mr. Crain: “Yes.” Motion passes. Thank you. Umm....

END OF DELIBERATIONS ON TAB 7.
Public Hearing

Board of Education Report No. 233-13/14

Charter Schools Division

Approval of the Renewal of the Charter for Aspire Ollin University Preparatory Academy.

Dr. Vladovic: We go to number 8

Mr. Crain: Tab 8. We have speakers to this item. We could also have it moved and seconded.

Moved by Ms. Galatzan, second by Ms. Garcia. So Speaker no. 1. This is Tab no. 8, if they could come forward?

Speaker no. 1 [through an interpreter]: Good afternoon, my name is Solemi Rodriguez and I'm come here representing school Aspire Ollin. Four year ago, my son was studying at Aspire charter school. He has autism and I want to talk to you about the experience that he has. When he started in the school, he had 20 percent of disability and he had an increase of 80 to 90 percent improvement at the school. It is very important for me that he gets this opportunity and he continues to get, receiving these types of services. I want him to be a normal boy. I want him to be a sociable boy with other kids. And this opportunity has given him a chance to become a better person, that was given to him by Aspire. In this school they offer the education in which they focus on these kids. They give them the opportunities for education and the opportunity to improve as human beings. I would like to thank you for taking into account the needs that the mother of these special needs kids have. In order for them to have the same rights and continue receiving these opportunities to become future citizens of success. Thank you so much for taking this into account, not only for mothers of special kids but those kids who have special needs. Thank you.

Speaker no.2 [through an interpreter]: Good afternoon. My name is Lorena Garcia. I have 12-year old boy who is in 7th grade that I have been having a lot of difficulty with him. He has speech problems and I never had any guidance, any correct guidance, you know, to get the need that I needed for him to be successful in school. When I found this charter school, I found the support and they were taking my son into account, not just...
as an individual boy but they take us into account as a family and they showed
compassion to our need. They focused on our needs in order for him to be a good
person to be successful in the world.

He is in Ollin, Aspire Ollin and he receives all the services for his needs like speech
therapy, support by the teachers, the family, he talks to me. He’s very close to the
family. He’s preparing for the future and I’m totally surprised to see that he has grown
a lot. He’s sure of himself and he’s even talking about going to Harvard. He has a
GPA of 4.0. And this is all thanks to Ollin charter school. I thank you for
reconsidering Ollin, Aspire Ollin school as a charter and I would like you to really
think about this proposal because when you have a son like this and you have to fight
for it, it is really difficult and it is even more difficult if all these doors are closed in
front of you. So please reconsider the renew...the Ollin Aspire charter school. Thank
you for your time.

Mr. Crain: Board members, that’s the last speaker. Dr. Vladovic, that was the last speaker.

Dr. Vladovic: Ok. Right now we’re voting on the charter, and we have a movement, if I’m not
mistaken, from Mr. Kayser.

Mr. Kayser: I move to deny the renewal of the charter.

Dr. Vladovic: Is there a second?

Mr. Crain: Mr. Zimmer seconded.

Dr. Vladovic: So the remaining routine is to report language to deny.

Ms. Garcia: Mr. Chair?

Dr. Vladovic: Sure, I’m going to see if there’s any discussion, so first we got the motion and
the second now discussion. Yes ma’am?

Ms. Garcia: Ok, so again, I’d love to hear from you, Mr. Kayser, why you think it’s important
to deny a school....It’s 99% Latino, it is 91% Free and Reduced lunch, and it has an
813 base API on 2012. Most areas, this is considered successful. Similar school
rank...oh mine says 9. It’s an achieving school and we heard from parents who are
satisfied with service. And, I mean, I understand that they’ll probably get approved at the County. What is this about for you?

Dr. Vladovic: Steve’s [...inaudible]. Go ahead.

Mr. Zimmer: So, so....

Ms. Garcia: So wait, Mr. Kayser, you don’t want to answer again?

Mr. Zimmer: I’ll answer. He doesn’t [...inaudible]... Um, so one year ago,....

Ms. Garcia: Wait. You didn’t let him answer. Does he not want to answer?

[Unrecognized speaker]: This is not part of err [...inaudible]. He doesn’t have to respond.

Ms. Garcia: He went to touch the..., he motioned which is why I was stopping Mr. Zimmer.

Dr. Vladovic: I know. Let’s um...I’m going to call on Mr. Zimmer right now unless Mr. Kayser objects. Alright. Go ahead, Mr. Zimmer, finish your.... Say what?

Ms. Garcia: Privilege...that’s called privilege

Dr. Vladovic: What’s called privilege?

Garcia: Mr. Kayser was motioning to hit the...he could either answer not to speak. He can answer.

[Unrecognized speaker]: [...inaudible] Richard’s privilege.

Ms. Garcia: Do you not want to answer?

Dr. Vladovic: Monica, he’s not answering. Let’s move on. Mr. Zimmer?

Ms. Garcia: Ok.

Mr. Zimmer: One year ago, we had the exact same discussion. Um and I was willing, a year ago, to Superintendent’s request, because of all the arguments that’d been made by Ms. Garcia, to change my vote and to give another year for us to work with the Aspire Charter Management Organization to um, after all the work that has been done in LAUSD together with the Charter Schools Association, together with our partners to
join our SELPA. We’re not stepping in, we’re not stepping in in any way. We’re taking the advantages that are allowed to us by state law in the renewal process to raise questions that have to do with the oversight, which is totally within our bounds as an authorizer. We, as an authorizer, can determine if we believe that the, our ability to supervise and provide oversight is compromised by this or any other mechanism that could be, that could be interpreted as a sound or unsound educational practice. The words on paper that Dr. Dr. Vladovic read are the words on paper for our legal counsel, from our legal counsel. We can’t pick and choose the times we that believe our legal counsel is, you know, has the authority. And so unless we’re going to say that those words that’s written into our Board book that Dr. Vladovic read are not valid, then there’s a legitimate disagreement, which I respect, the last time saying I would do it on the commitment that we would work with this organization to bring them into the SELPA, I changed my vote. A year’s passed, we’re in the same situation. It’s a legitimate issue to believe, it’s a legitimate issue to argue, it’s a legitimate issue to vote based on our interpretation of what has been written in front of us. You are absolutely right, this charter would be approved by the County; it would be and this is not a statement against any parent, any teacher at Aspire. We have an opportunity, there’s an hour left in this Board meeting. There’s ample opportunity for the Charter Management Organization to send us a different message in terms of their participation. If the concern was that there wouldn’t be a continuity of service, our Special Education director, just like she said, that if there were egregious things happening in terms of special education at the school, I imagine that we would step in and take other actions. We know very clearly that egregious things would not happen. We have invested in change. It’s totally legitimate for us, especially given legal analysis read by Dr. Vladovic, to insist that the charter we renew participate in that change.

Superintendent Deasy: So in the spirit of that good and healthy debate, two points I would want to raise: One is that our Special Education leader said that actually they’re doing a good job in special education, and they have no problem with it. And second of all, during this period in time when both schools improved, they improved their performance and they improved their outcomes. Is it legitimate that, the statement is that, it doesn’t allow us good oversight? I believe that that is actually true. Um Mr.
[inaudible], I think you were mumbling something that the API dropped. It dropped twice as less neighboring schools. That is correct. There was improvement.

Mr. Crain: Just noting that it went from an 8 err...[inaudible.]

Superintendent Deasy: I’m not debating with you however; I’m talking to the Board.

Ms. Galatzan: So this is what the law says. It says that in order to deny a charter petition the board needs to adopt written factual findings setting forth specific facts to support one or more of the following findings. Mr. Cole-Gutierrez, I would invite you down here...I'm sorry, Mr. Cole-Gutierrez, I would, I'm looking at the law that says that the board needs to adopt written factual findings setting forth specific facts that support the fact that we’re concerned they’re not providing special ed. services or some other educational unsound. I don’t see it in any of the Board’s reports.

Mr. Holmquist: So, so Board members, as I mentioned the last time I was before you, we’re going to use the discussion that the Board is having, in the event the Board notes to deny, as the factual findings. We’ve done that in the past and that’s what we would do in this particular circumstance; that is assuming the Board votes um to deny this charter.

Ms. Galatzan: So what, I'm sorry, so because several colleagues on the Board have said that they don’t like the SELPA that’s now a written factual finding about the SELPA, even though our head of Special Education said it was fine? So the one person here who knows, to be honest, more than any of us said, came down here and said that the special ed. offerings were fine but folks here decide, for whatever, for no factual reason that has been presented, they disagree with her, based on no facts being presented, and that’s what we’re going to go with?

Mr. Holmquist: That’s all there is to go with.

Mr. Zimmer: Could you read, could you read page 252? "For this reason, the Division of Special Ed. and the Office of the General Counsel believe the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with disabilities."
Mr. Holmquist: Absolutely. I’m happy to do that. I’m not the author of that document but I will say what I believe it means and that is, that we cannot guarantee because it is an out-of-District SELPA. It in no way infers or states that there is a problem with that SELPA. It just says that we cannot guarantee the effectiveness of that SELPA because it is out of the area.

Director of Charter Schools Division Jose Cole-Gutierrez (“Mr. Cole-Gutierrez”): And if I can add to that, because I also signed the Board report. We discussed with staff even last year, that statement which was in the prior Board reports. I understand that statement to be an appropriate notice to the Board of the possibility of that. It doesn’t state as a fact that they’re not providing such a program. Then our due duty as staff has been to analyze the numbers, which we have tried to do. So I only state that as what I believe, as a signatory to the Board report as my understanding of that statement, not as a conclusory statement but as one that um, in abundance of caution, apprises the Board of that possibility, of that fact that it can be an unsound educational program to which data would say or not. And we can clarify the language. I’m just speaking in terms of someone who read the report because we’re also doing the analysis of the item for the Board.

Mr. Zimmer: It’s a policy issue.

Mr. Cole-Gutierrez: Yeah.

Ms. Galatzan: This is not a policy issue. I mean, this is a factual issue…. And no, no, and I don’t mean this as harsh as it’s going to sound but that’s a CYA statement. Like we can’t guarantee it because we don’t provide it. Well, of course we can’t guarantee something that someone else provides but the head of Special Ed. came down here and said she sees no problem with it. So Mr. Zimmer, I respectfully disagree. This isn’t a policy issue, this is a factual issue where the person with the facts came down here and told us. And if you just want to disregard the facts because they’re uncomfortable for you to hear that somebody who goes outside our SELPA might do a good job, that’s not a reason to deny this charter and it’s setting a horrible precedent.

Ms. Garcia: So, I also need to say out loud, I disagree that this is a policy issue. This is affecting some 500 families in a neighborhood that sorely needs schools that meet
their students’ needs. And friends, I’m surprised today, you don’t need to clap, I’m surprised today that there are not more people in this boardroom, because a funny thing happens to the policy makers and the elected officials when the community rises. So whatever neighborhood you are from of the southeast, you need to go get you comadres and compadres and bring them next week or tomorrow and demonstrate that this behavior is not acceptable. When something works for your kids, we should be learning from it not shutting it down. When something works, you know, I just have to ask, I know the papers have been talking about do Latino kids get negatively impacted by the rules of this place? And I am challenged to say, yes, there are conscious decisions to negatively impact Latino kids. But today these actions negatively impact Latino kids and families and I am concerned about that. And certainly, everyone who has been elected we benefited from people investing in us, reading, or writing, thinking and believing, whatever extracurricular we had. What is for, what is here today, Board members is something, and the public, I just need to talk to the public because I don’t understand today what we’re talking about. We don’t like the rules, we disagree with the rules, we’re not paying attention to the fact that kids are succeeding. And if there were every other schools of the southeast where these parents can pick up their kids and go to the school next door and get the same service, I don’t think we’ll have an issue. And when, I do believe that LA Unified is going to get there. I absolutely with every energy in my body believe that this District is going to rise to meet the demands of our constituents. But today, Board members, today people who are watching KLCS, we should all ask ourselves what is happening? When we partner, I mean you cannot like charters, but it’s interesting that this school, this school for whatever reason; and I don’t like a whole lot of stuff, and I don’t spend a whole lot of time on what I don’t like, but I see a school that is achieving, I see a school that is helping LA Unified meet its responsibility to, you know, people who rely on us. People, these parents come, and friends, if LA Unified was doing it for them they would have stayed there. The challenge is that we do, we get to 66% of graduation for our kids and until the people who are not necessarily the voters, until the users of this system think Tuesday is important and you come down to Board meetings and make yourselves known. It’s very interesting, there’s never been a rally to, you know, boycott the dropout rate, and there hasn’t been a rally to sue us on the dropout rate, and friend I just, I welcome it. This organization, this organization has to hear from
parents in an organized way; but if we're going to shut down what works for our community, I'm really for whatever reason, for whatever reason that is, I am just really concerned about the state of affairs at the School Board at LA Unified today.

Dr. Vladovic: Thank you. Ms. Ratliff?

Ms. Ratliff: Um, so obviously I have stated over and over again that I would support successful charters that are open to everyone. And that also meant, in my mind, we could be able to oversee and work with them in terms of their special education population and so that language is concerning to me. And so I want just be clear why I'm voting the way I'm voting. But I want to offer a friendly amendment as well in case um, you know, 'cos I figure why not? So my friendly amendment is that we would include in this um motion to deny um, resolved, that said resolved that the Superintendent add as a District legislative priority the clarification of the law so that only charters that choose our SELPA be approved by the School Board.

Ms. Galatzan: They already told us we can't do that.

Ms. Ratliff: Why can't we....?

Superintendent Deasy: So I just think that for your amendment, you should include that as both a legislative but also as regulatory at the state board.

Ms. Ratliff: Ok. As a District regulatory and legislative priority.

Superintendent Deasy: Yes.

Ms. Ratliff: Right. Just 'cos I figure if that's what this is all about, let's just be clear that we want to try to make a change there. But it's a friendly amendment, so if it's not friendly I ....inaudible].

Dr. Vladovic: Have you accepted it? Mr. Kayser? Mr. Zimmer?

Ms. Ratliff: Ok.

Dr. Vladovic: Please Mr. Crain call for the vote, on the amendment.

Mr. Crain: So this is an amendment that would change the action proposed to deny the charter
um. You, the Board has a choice of the renewal of the charter. Um this amendment would change the language and then you could vote on the motion as of the Board report as amended or you could accept this as a substitute to so there’ll only be one vote.

Ms. Ratliff: So it makes a motion to deny is a….

Mr. Crain: Well he’s substituting a renewal…if it’s okay with the Board we’ll make a single vote of this rather than to make a change of language.

Superintendent Deasy: If I could make a comment. So I realize that I’ve done my appropriate job of advocacy. I would like to ask, is it more appropriate for the Board to take the disposition of the item in front of it and then choose another item as opposed to…?

Then the, the agenda item was never voted on. So vote it down if you want to and then change it, um Board member Mr. Kayser like you did last time. And I’m wondering if that is a cleaner way so that that procedural issue is not the problem. You know what I’m saying? The first time we did this, the first time we did this the Board took an action of no action and then Board member Mr. Kayser admitted it which I think that was an actual flow.

Mr. Crain: I don’t think that’s required. I’m just trying to help us out by the one vote or two votes and if no one objects, I would have this as a substitute that we’re amending the Board report and adopting the Board report as amended.

Ms. Ratliff: With a denial.

Mr. Crain: With the two changes are to amend the action proposed to do, to deny the renewal of the charter and to include, and add a legislative and regulatory priority um to have the approved charters be within the LAUSD SELPA.

Ms. Ratliff: Right, right, a legislative and regulatory priority regarding the clarification of the law so that only charters that choose our SELPA be approved by the School Board. I can just hand this to you too.

Mr. Crain: Okay. Well I’ll include that. Thank you. So I’ll call the roll.

Ms. Galatzan? A “no” vote.
Ms. Garcia?

Ms. Garcia: No, I'm against shutting down this school [...rest inaudible]

Mr. Crain: Thank you. Mr. Kayser?

Mr. Kayser: Yes.

Mr. Crain: A "yes" vote. Ms. Ratliff?

Ms. Ratliff: Yes.

Mr. Crain: "Yes" vote. Mr. Zimmer?

Mr. Zimmer: Yes.

Mr. Crain: A "yes" vote. Dr. Vladovic?

Dr. Vladovic: Yes.

Mr. Crain: A "yes" vote. The item passes. The Board report is approved as amended.

END OF DELIBERATIONS ON TAB 8.
Los Angeles Unified School District
Board of Education Report

Report Number: 233 – 13/14
Date: February 11, 2014
Subject: Approval of the Renewal of the Charter for Aspire Ollin University Preparatory Academy

Responsible Staff:
Name: José J. Cole-Gutiérrez, Director
Office/Division: Charter Schools Division
Telephone No.: (213) 241-0399

Board Report

Action Proposed: Staff recommends approval of the renewal of the charter for Aspire Ollin University Preparatory Academy for five (5) years, beginning July 1, 2014 until June 30, 2019, to serve 545 students in grades 7-10 in year 1 and up to 600 students in grades 6-12 by the end of its charter term.

Background: On November 20, 2013, Aspire Ollin University Preparatory Academy submitted its charter renewal petition application to the Charter Schools Division. The charter petition and supporting documents were reviewed by the Charter Schools Division, the Office of the General Counsel, and other District staff. Pursuant to a waiver executed by petitioners and the District, the statutory timeline for Board action on this petition has been extended to February 18, 2014.

In accordance with Education Code sections 47605 and 47607, the Charter Schools Division considers the following criteria when reviewing a renewal petition submitted by a charter school:

- Confirmation that the charter school's performance has met the minimum criteria under Education Code section 47607(b), including considering increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal;

- Review of the charter petition to assess the soundness of the educational program; ensure it contains the required affirmations; and ensure it contains reasonably comprehensive descriptions of the 16 elements;

- Assessment that the petitioners are demonstrably likely to successfully implement the program;
Confirmation of the academic, operational, and fiscal soundness of the charter school based on the Charter Schools Division oversight and the school's achievement results on the District's School Performance Framework.

Staff assesses that Aspire Ollin University Preparatory Academy has met the above criteria.

Aspire Ollin University Preparatory Academy serves students in grades 6-12 in Board District 5, Educational Service Center South (ESCS), at 2540 East 58th Street, Huntington Park, CA 90255. The school has reported its current enrollment as 545 students in grades 7-9. The school is located on a private site.

Aspire Ollin University Preparatory Academy (initially named Centennial College Preparatory Academy) was originally approved by the Board of Education on June 6, 2003 and renewed on June 9, 2009 with benchmarks in teacher credentialing and local stakeholders' access to governance. The school has met its benchmarks by verifying that teachers possess teaching credentials appropriate for the classes they instruct. Furthermore, Aspire Ollin University Preparatory Academy has also strengthened its teleconference and video broadcast in the Los Angeles area to allow families greater access to their Governing Board Meetings.

For the proposed 2014-19 charter term, the enrollment capacity of the charter school is 600 students in grades 6-12 within the five years of the charter term. During the current charter term of Aspire Ollin University Preparatory Academy, the school's student body has reflected the community in which it operates. According to October 2012 CDE data, the school's demographics are approximately 99% Latino and 1% African American. Aspire Ollin University Preparatory Academy has chosen to implement its own English Learner Master Plan and has provided supporting documentation to the Charter Schools Division.

LAUSD's Board of Education authorized its first two Aspire schools in 2003. Aspire Public Schools was founded in 1998 and currently operates 37 public charter schools serving 13,500 students throughout California and Memphis, Tennessee. In Los Angeles, 12 Aspire Public Schools are authorized by LAUSD within the communities of Huntington Park, South Los Angeles and South Gate. The organization and its schools demonstrate strength in operations, fiscal management, governance, and fulfillment of their charter terms and are in good standing with the District.
Aspire Ollin University Preparatory Academy has met the minimum academic performance criteria for renewal required under Education Code section 47607(b) as evidenced below in the Summary of School Performance. In 2012-13, the school achieved a school-wide Growth API of 807, a 6-point decrease from its 2011-12 Base API of 813. Its three-year API aggregate growth of 10 points equals the 10-point target. The school earned a 2012-13 Statewide Rank of 6 and a Similar Schools Rank of 9. Lastly, the school has outperformed the resident District schools with comparable demographics in the last two years of its charter in Growth API and in the percentage of students scoring proficient and advanced on CST ELA and Mathematics. The school attributes this recent decrease in academic performance to drops in the performance by the English learner subgroup. In response to the need, school leadership has implemented professional reading/research circles the last two years on the following books: How Languages are Learned by Patsy Lightbown and Nina Spada as well as Scaffolding the Success of English Language Learners by Aida Walqui and Leo van Lier. The school also created and hired an educator to serve in the role of English Language Development lead teacher. The school will continue to focus on meeting the needs of the English learner subgroup through: 1) Interactive editing and writing; 2) Small group instruction twice a week with an emphasis on academic vocabulary and fluency; and 3) EL strategies in Science, Algebra and the Humanities courses.

The District-wide School Performance Framework (SPF) classification is another criterion considered when reviewing a charter school renewal petition. According to the 2013 SPF, Aspire Ollin University Preparatory Academy has been classified as a “Service and Support” school, which is the third of five possible tiers of performance. The school’s placement in this tier highlights strong performance in English language arts and math as measured by the California Standards Test. Aspire Ollin University Preparatory Academy’s SPF declined from “Achieving” due to the school having a percentage greater than or equal to 1.9% of the school’s student body being suspended which rendered the school one (1) status point (from a range of five) based on the calculations of the metric. As of the date of the school’s Performance Based Oversight Visit (11-11-13) the school leadership shared that the school had no suspensions for the current year. (See Summary of Charter School Performance below).

According to the December 2012 CASEMIS report, Aspire Ollin University Preparatory Academy enrolled Special Education students at a rate that is below that of the District average. Aspire Ollin University Preparatory Academy had a special education enrollment rate of 7%, which was four percentage points lower than the LAUSD Similar Schools from
CDE Median (11%). The school is committed to continuing its efforts to serve all students, including students with disabilities.

Over the five years of the charter term, the school has effectively increased the proficiency levels of Student with Disabilities as measured by the California Standards Test. In ELA this subgroup of students has increased their proficiency by 13% and in math, by 12%.

Aspire Ollin University Preparatory Academy staff, together with its Home Office and Regional Office, continues to work to meet the Modified Consent Decree outcomes.

Aspire Ollin University Preparatory Academy’s initial Western Association of Schools and Colleges (WASC) visit is scheduled for the Spring of 2014.

As a high quality authorizer, LAUSD strives to share and leverage promising and innovative practices across LAUSD schools to help generate innovation and improve educational outcomes for all students. Aspire Ollin University Preparatory Academy has exhibited three promising practices: 1) The College Ready Promise. In collaboration with Aspire’s Home Office, Aspire Ollin University Preparatory Academy is implementing The College Ready Promise and the College Ready Teaching Framework in order to evaluate teachers, build teacher development, guide professional development and provide a means by which all Aspire teachers collaborate and continue to build on the commitment of “College for Certain” for all students. 2) Professional Development – Aspire affords all certificated and classified personnel within the organization the opportunities to receive differentiated professional development and leadership experiences that fulfill the organization’s goal of “fostering effective educators” through some of the following professional developments (PD): 3) Cycle of Inquiry (COI) – Aspire’s Cycle of Inquiry and the use of Schoolzilla provides teachers with crucial student information. Weekly structured data discussions and multiple meetings monthly with the L.A. Regional and Oakland Home Office devoted to data talks allows leadership, teachers and support staff to analyze school-site data.

Current Aspire Ollin University Preparatory Academy Governing Board members completed questionnaires regarding conflicts of interest. A due diligence review performed by the Office of the Inspector General of the school’s principal and on-site financial manager revealed no material negative findings.
Prior to the Board approval of the charter renewal, the school must submit any requested materials, including a signed Memorandum of Understanding (MOU) for Special Education.

The petition is available for perusal in the Charter Schools Division and online at the District's Board of Education website at http://laschoolboard.org/charterpetitions.

**Expected Outcomes:**
Aspire Ollin University Preparatory Academy is expected to operate its charter school in a manner consistent with local, state, and federal ordinances, laws and regulations and with the terms and conditions set forth in its petition. The benchmarks for achievement are set forth in the petition.

**Board Options and Consequences:**

"Yes" – The approval of the renewal of the charter term for five (5) years would grant Aspire Ollin University Preparatory Academy the right to continue to operate as a charter school under the terms of the renewal petition for a five (5) year period beginning July 1, 2014.

"No" – The denial of the renewal of the charter term would cause the charter to expire on June 30, 2013, unless Aspire Ollin University Preparatory Academy appeals the denial and the charter is granted by the Los Angeles County Board of Education or the California State Board of Education. This Board Report No. 233 – 13/14 and accompanying documents shall constitute the Board of Education's adopted written findings of fact for the denial of the Aspire Ollin University Preparatory Academy's renewal petition.

**Policy Implications:**
There are no policy implications at this time.

**Budget Impact:**
State income and various other income sources to the District are reduced when current District students enroll at a charter school, and comparable or offsetting expenditure savings may not occur in such cases. Under Education Code section 47604(c), a school district that grants a charter to a charter school to be operated by, or as, a nonprofit public benefit corporation is not held liable for the charter school's debts or obligations as long as the school district complies with all oversight responsibilities. The District will continue to have monitoring and oversight responsibility for charter school finances, as specified in the Charter Schools Act. Any modifications to the charter school’s petition or operations with significant financial implications would require District approval prior to implementation. Petition approval is also contingent upon adequate liability insurance coverage.
Aspire Ollin University Preparatory Academy has selected to remain a member of the El Dorado County Charter SELPA. LAUSD staff will continue to have discussions with the school about their participation in one of the 3 options within the LAUSD SELPA, including requesting Aspire to file the proper notifications pursuant to Education Code section 56195.3(b) to elect the LAUSD SELPA as an alternative SELPA option beginning in the 2015-2016 school year.

Issues and Analysis: If all pending issues, including but not limited to special education requirements, special education local planning area (SELPA) requirements, and facilities matters, are not resolved at the time of the Board meeting, the Office of General Counsel may recommend the denial of the renewal petition.

Aspire Ollin University Preparatory Academy has indicated its intent to retain its current membership with the El Dorado County Charter SELPA. If District-authorized charter schools join an out-of-District SELPA, LAUSD will have no authority regarding the recruitment, enrollment, and retention of students with disabilities at those schools. However, the District retains authorizing authority and the federally mandated Modified Consent Decree will still apply to this school. The District will continue to be responsible for monitoring and implementing its requirements at this school. To that end, it is crucial that the charter school timely submits all of the necessary data to the District to enable the District to ensure the Modified Consent Decree requirements are being met. If a student leaves a District-authorized charter school that participates in another SELPA through suspension, expulsion, or recommendation to the parent, LAUSD must assume responsibility for serving that student as long as the student resides within the LAUSD boundaries. For this reason, the Division of Special Education and the Office of the General Counsel believe that the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with disabilities.

Additionally, if charter schools do not belong in the LAUSD SELPA, the District will not receive any of the special education revenue (AB602 and IDEA). AB602 and IDEA revenues are generated based on Average Daily Attendance ("ADA"). These charter schools will not contribute any revenue to the general fund contribution towards special education programs (encroachment).
The District will continue to explore with Aspire the SELPA options within LAUSD and to make proper notifications to elect an alternative SELPA option in compliance with Education Code section 56195.3(b).

Attachments:

☐ Informative
☑ Desegregation Impact Statement
Respectfully submitted,

DR. JOHN E. DEASY
Superintendent

APPROVED BY:

MICHELLE KING
Senior Deputy Superintendent
School Operations

APPROVED & PRESENTED BY:

JOSÉ J. COLE-GUTIÉRREZ
Director
Charter Schools Division

REVIEWED BY:

DAVID HOLMQUIST
General Counsel

Approved as to form.

TONY ATIENZA
Director of Budget Services and
Financial Planning

Approved as to budget impact statement.
LOS ANGELES UNIFIED SCHOOL DISTRICT
Board of Education Report

DESEGREGATION IMPACT STATEMENT (DIS)
ASPIRE OLLIN UNIVERSITY PREPARATORY ACADEMY
BOARD OF EDUCATION REPORT 233 – 13/14
February 11, 2014

I. Category of Proposed Action:
The proposed action will approve the renewal of the charter for Aspire Ollin University Preparatory Academy, beginning July 1, 2014 until June 30, 2019 and provide an approximate total of 545 students served in grades 7-10 in year 1 and grow to serve 600 students in grades 6-12 by year 5.

II. Summary Description of Current District Practice:
Charter schools are schools of choice by legislation and are open to any student in the State of California. Charter schools are granted single charter status for a maximum of five (5) years. It should be noted, however, that although State legislation allows students to attend a charter school from any area in the state, the Los Angeles Unified School District (LAUSD) is under Court Order, Crawford v. LAUSD, which applies to all schools within or chartered through the LAUSD. Any modifications to the Court-Ordered Integration Program must first be approved by Student Integration Services.

III. Proposed Change:
The approval of this renewal of the charter would grant the charter of Aspire Ollin University Preparatory Academy, for five (5) years beginning July 1, 2014 until June 30, 2019.

IV. Effects of This Proposal:
The Los Angeles Unified School District (LAUSD) does not guarantee availability of Court-ordered Integration funding. The charter school will be responsible for maintaining the Court Order and providing information requested by the LAUSD as set forth in the Charter petition. Modifications or school decisions cannot negatively impact or cause additional costs to the Court-ordered Integration budget.

V. Analyze the Impact of This Proposal on Integration, Desegregation, Re-segregation and/or Segregation:
If the Charter goals are met, there should be positive results on the five (5) Harms of Racial Isolation which are low academic achievement, low self-esteem, lack of access to post-secondary opportunities, interracial hostility and intolerance, and overcrowded conditions. The Court-ordered Integration Program for participating students will operate under various Court Orders for schools within the Los Angeles Unified School District. Any modification of the Court-ordered Integration Program must first be approved by Student Integration Services.

VI. If proposed action affects negatively any desegregation program, list other option(s) identified:
If the District Court-ordered Integration Guidelines are followed, there will not be a negative effect on the District’s Court-ordered Integration Program.

PREPARED BY:  
RENÉ CARDONA  
Specialist
Charter Schools Division

APPROVED BY:  
ESTELLE SHEPHERD LUCKETT  
Director
Student Integration Services

Bd. of Ed. Rpt. No. 233 – 13/14  
Page 1 of 1  
Board of Education  
February 11, 2014
The Charter Schools Division has analyzed the performance of the charter school using established criteria in the following four areas:

I. Student Achievement and Educational Performance
II. Governance and Organizational Management
III. Fiscal Operations
IV. Fulfillment of the Charter’s Educational Program

I. Student Achievement and Educational Performance

First, the Charter Schools Division must confirm whether the charter school has met at least one of the following minimum criteria set forth in Education Code § 47607(b) for schools in operation at least four years:

1. Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school; or
2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years; or
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years; or
4. (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based upon all of the following:
   (i). Documented and clear and convincing data.
   (ii). Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.
   (iii). Information submitted by the charter school.

Note: If a charter school has not been in operation for at least four years, this section of Education Code serves as reference. The Charter Schools Division will present findings based on its analysis of the
school’s performance data to date, and of the academic, operational, and fiscal soundness of the charter school based on Charter Schools Division oversight.

Aspire Ollin University Preparatory Academy has met the minimum statutory requirement as evidenced in the Data Summary Report.

**Student Discipline**

Discipline and expulsion policies used at District schools must comply with the California Education Code. LAUSD charter schools must comply with the provisions related to suspensions and expulsions that are put forth in the Charter Schools Division's Required Language for Charter Petitions. Aspire Ollin University Preparatory Academy's grounds for student suspension and expulsion are aligned with those listed in Education Code Section 48900 et seq. As the data below shows, Aspire Ollin University Preparatory Academy had 78 suspensions and 0 expulsions for the 2012-13 school year. In 2011-12, the school reported 105 suspensions and 0 expulsions. As of the date of this report, the school reports 0 suspensions and 0 expulsions for the current school year. The school reports that it has recently revised its suspension and expulsion policies and procedures to ensure a more cohesive, clear, and effective process for all stakeholders.

<table>
<thead>
<tr>
<th>Name of School</th>
<th>Location Code</th>
<th>Suspension 2013-14 As of the date of this report</th>
<th>Expulsion 2013-14 As of the date of this report</th>
<th>Suspension 2012-13</th>
<th>Expulsion 2012-13</th>
<th>Suspension 2011-12</th>
<th>Expulsion 2011-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Ollin University Preparatory Academy</td>
<td>8020</td>
<td>0</td>
<td>0</td>
<td>78</td>
<td>0</td>
<td>105</td>
<td>0</td>
</tr>
</tbody>
</table>

**Special Education**

According to the December 2012 CASEMIS report, Aspire Ollin University Preparatory Academy enrolled Special Education students at a rate that is below that of the District average. Aspire Ollin University Preparatory Academy had a special education enrollment rate of 7%, which was four percentage points lower than the LAUSD Similar Schools from CDE Median (11%). The school is committed to continuing its efforts to identify and serve students with disabilities. The school provides both strategic and intensive targeted intervention as needed for students. Aspire Ollin believes in serving all students in the general education setting in a co-teaching model. Education specialists and general education teachers co-plan, co-instruct and co-assess to ensure that students with and without disabilities experience success in their zones of proximal development. In addition, a Student Success Center operates as a learning center for students to access specialized academic support in a school and during the school day. The co-teachers review progress on standards and IEP goals as a team and adjust instruction accordingly on a weekly basis. All related services are provided in the learning center setting.
English Learners

The tables below represent the number of English Learners identified, served and reclassified by Aspire Olin University Preparatory Academy Charter School. The school’s October 2012 (CBEDS) English learner population of 13% was slightly higher than the LAUSD Similar Schools from CDE Median of 11%. The school’s 2012-13 reclassification rate of 63% was higher than the LAUSD Similar Schools from CDE Median rate of 22%.

<table>
<thead>
<tr>
<th>ESC</th>
<th>BD</th>
<th>Loc Code</th>
<th>School</th>
<th>Total Enroll</th>
<th>% FR</th>
<th>% G&amp;I</th>
<th>% EL</th>
<th>% Latino</th>
<th>% White</th>
<th>% Asian</th>
<th>% Fill</th>
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</thead>
<tbody>
<tr>
<td>XR</td>
<td>5</td>
<td>8020</td>
<td>Aspire Olin University Preparatory Academy</td>
<td>540</td>
<td>95%</td>
<td>0%</td>
<td>13%</td>
<td>99%</td>
<td>0%</td>
<td>1%</td>
<td>0%</td>
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</tbody>
</table>

RECLASSIFICATION

<table>
<thead>
<tr>
<th>2012-13</th>
<th>2011-12 # EL</th>
<th>2012-13 # Reclassified</th>
<th>2012-13 Reclassification Rate</th>
<th>Change from Prior Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Olin University Preparatory Academy</td>
<td>104</td>
<td>66</td>
<td>63.5%</td>
<td>17.3%</td>
</tr>
<tr>
<td>LAUSD Similar Schools from CDE Median</td>
<td>74</td>
<td>18</td>
<td>22.1%</td>
<td>7.4%</td>
</tr>
<tr>
<td>Resident Schools Median</td>
<td>327</td>
<td>17</td>
<td>8.0%</td>
<td>-0.5%</td>
</tr>
<tr>
<td>Comparison Schools in Charter Median</td>
<td>310</td>
<td>34</td>
<td>12.8%</td>
<td>0.5%</td>
</tr>
<tr>
<td>District</td>
<td>180,618</td>
<td>24,697</td>
<td>13.7%</td>
<td>-1.7%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>2011-12</th>
<th>2010-11 # EL</th>
<th>2011-12 # Reclassified</th>
<th>2011-12 Reclassification Rate</th>
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</thead>
<tbody>
<tr>
<td>Aspire Olin University Preparatory Academy</td>
<td>104</td>
<td>48</td>
<td>46.2%</td>
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<tr>
<td>LAUSD Similar Schools from CDE Median</td>
<td>88</td>
<td>16</td>
<td>14.7%</td>
</tr>
<tr>
<td>Resident Schools Median</td>
<td>411</td>
<td>48</td>
<td>8.5%</td>
</tr>
<tr>
<td>Comparison Schools in Charter Median</td>
<td>375</td>
<td>47</td>
<td>12.3%</td>
</tr>
<tr>
<td>District</td>
<td>194,904</td>
<td>29,956</td>
<td>15.4%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2010-11</th>
<th>2009-10 # EL</th>
<th>2010-11 # Reclassified</th>
<th>2010-11 Reclassification Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Olin University Preparatory Academy</td>
<td>209</td>
<td>57</td>
<td>27.3%</td>
</tr>
<tr>
<td>LAUSD Similar Schools from CDE Median</td>
<td>65</td>
<td>14</td>
<td>19.7%</td>
</tr>
<tr>
<td>Resident Schools Median</td>
<td>712</td>
<td>52</td>
<td>9.1%</td>
</tr>
<tr>
<td>Comparison Schools in Charter Median</td>
<td>508</td>
<td>38</td>
<td>6.5%</td>
</tr>
<tr>
<td>District</td>
<td>205,312</td>
<td>26,080</td>
<td>12.7%</td>
</tr>
</tbody>
</table>
EVALUATION VISIT RESULTS

Following are definitions of the School Performance Evaluation ratings:

An evaluation of accomplished applies to operations characterized, overall, by strengths. There are very few weaknesses and any that do exist do not diminish the students’ experience. While an evaluation of accomplished represents a high standard of operating, it is a standard that should be achievable in all schools. It implies that it is fully appropriate for a school to continue its operations without significant adjustment. The school would always be expected, however, to continue to take advantage of opportunities to improve.

An evaluation of proficient applies to operations characterized by a number of strengths. There are weaknesses, but neither singly nor collectively do these have a significant adverse impact on the student experience. An evaluation of proficient may be arrived at in a number of circumstances. The school may provide a productive student experience, but it may not provide consistent challenge for students. Typically operations will be characterized by strengths, but one or more weaknesses reduce the overall quality of the student experience.

An evaluation of developing applies to operations characterized by weaknesses which require remedial action by the school. Some, if not all, staff responsible for the operation evaluated as inadequate require support from senior managers in planning and carrying out the necessary actions to effect improvement. There may be some strengths, but these are overshadowed by the impact of the weaknesses.

An evaluation of unsatisfactory applies when there are major weaknesses in operation that require immediate remedial action on the part of the school. The student experience is at risk in significant respects. In almost all cases, staff responsible for operations evaluated unsatisfactory will require support from senior managers in planning and carrying out the necessary actions to effect improvement. This may involve working alongside effective peers in or beyond the school.

Charter Schools Division oversight deemed Student Achievement and Educational Performance at the school to be Proficient.

Areas of particular strength include:
- The 2012-13 school-wide API of 807 exceeds the LAUSD Similar Schools from CDE Median (763), the Resident Schools Median (696), and the Petition Comparison Schools Median (730).
- The 2012-13 CST Proficient & Advanced rates in ELA and Math far exceed that of LAUSD Similar Schools Median and Resident Schools Median.
- The school achieved a 2012-13 Similar Schools Rank of 9 and a State Rank of 6.
- The school’s 3-year (2010-2013) AGT results in both ELA and Math are within the predicted range.
- The 2013 AGT in ELA (4.0) was Above Predicted Growth and significantly Above the District Average of 3. The school’s General Math AGT (2.9) was also Above Predicted Growth and significantly Above the District Average of 3.
Los Angeles Unified School District
Board of Education Report

- The 2013 AGT in Algebra I was 6.0, which is Far Above the Predicted Growth and Significantly more than 4.

Areas recommended for improvement include:
- Given the passage of Senate Bill 1290, Assembly Bills 97 and 484, and the Local Control Funding Formula the Governing Board as well as Home and Regional Office Personnel and school-site staff should continue to review, monitor and evaluate the academic performance of all subgroups at Aspire Ollin. Given the three year decrease of the English learner subgroup it is noteworthy to share that the school is continuing to focus this academic year on meeting the needs of this subgroup through: 1) Interactive editing and writing; 2) Small group instruction twice a week with an emphasis on academic vocabulary and fluency; and 3) EL strategies in Science, Algebra and the Humanities courses.
- The school’s SPF classification declined from “Achieving” to “Service and Support” due to the school having a greater than or equal to 1.9% suspension rate of the student body during the 2012-13 academic year. Aspire staff and leadership are encouraged to continue to implement the “consequence ladder” and any other supports and interventions deemed necessary to support students and their families in the areas of suspension and expulsions.

II. Governance and Organizational Management

Charter Schools Division oversight deemed Governance and Organizational Management at the school to be Accomplished.

Areas of particular strength include:
- The Governing Board consistently complies with the Brown Act and the Charter Management Organization (CMO) has further improved their website to provide internal and external stakeholders with “Board of Directors Key Documents” (Bylaws; Articles of Incorporation; 2013-2014 Board Calendar; and the Conflict of Interest Policy). Board Meeting Minutes and Agendas are also shared on the website for public viewing. Aspire leadership is working to develop a means to begin to translate the aforementioned documents in order to continue to communicate effectively with stakeholders who may need the documents in Spanish.
- The Board regularly reviews and monitors the performance the schools within the CMO (37 schools in two states; 12 schools authorized by LAUSD) and uses data from its data management platforms (one example Schoolzilla) to monitor student achievement and school operational data to inform and evaluate decision-making such as the Common Core Expenditure Plan and the College Ready Promise Effectiveness Pay.
- The Governing Board has effective communication systems for sharing information with parents. Parents are given accessible and relevant information about student progress through regularly scheduled conferences and assessment letters. Parent’s Right to Know letters are sent out yearly. Aspire provides regular newsletters to disseminate information to external stakeholders.

Areas recommended for improvement include:
- Given the large number of monolingual (Spanish) speaking parents whose children attend Aspire Public Schools in Los Angeles, the CMO is highly encouraged to continue to work in developing
a means by which to begin to translate additional Governing Board meeting documents outside of the agenda and minutes in order to further communicate effectively with stakeholders who may need further support in Spanish.

III. Fiscal Operations

Charter Schools Division oversight deemed Fiscal Operations at the school to be Proficient.

Areas of particular strength:
- Per 2012-2013 Audit:
  - Cash reserve is 9.25% of expenses. Aspire Ollin has maintained a cash reserve above the recommended 5% since 2009-10. Cash and cash equivalent is $451,291.
  - Net assets have been positive for the last four years. 2012/2013 net assets were $831,568.

Areas recommended for improvement include:
- Per 2012-13 Audit:
  - Expenditures exceeded revenue and school incurred a net loss of ($388,263).
    - Prior three years had positive net income.
  - Cash flow projections by school not available, only organization wide cash flow projections.
  - Aspire’s oversight and review controls allowed revenue from a private grant and rent expense and liability to be recorded incorrectly. Aspire has put in place corrections.

Additional Information:
- 2012/13 audit
  - Unmodified (unqualified) opinion
  - No material weaknesses

IV. Fulfillment of the Charter’s Educational Program

Charter Schools Division oversight deemed Fulfillment of the Charter’s Educational Program at the school to be Accomplished.

Areas of particular strength include:
- Aspire’s Cycle of Inquiry and the use of Schoolzilla provides teachers with crucial student information. Weekly structured data discussions and multiple meetings monthly with the L.A. Regional and Oakland Home Office devoted to data talks allow leadership, teachers and support staff to analyze school-site data. The school is able to take immediate action whether prompting reteaching within and/or outside the school day or additional interventions. The school community knows where students are and where they need improvement in order to chart the best instructional course forward in order to see a holistic picture of performance across their school and to make informed decisions, such as improving teacher training or filling curriculum gaps.
- The innovative features of the instructional program and pedagogical strategies of academic discourse (accountable talk), project-based instruction, flexible supports, diagnostic assessments,
cycle of inquiry as outlined in the charter are leading to a positive impact on the academic achievement of students attending Aspire Ollin University Preparatory Academy. The foci of the last two years have been: Guided Reading, Literature Circles, Reciprocal Teaching, Writer’s Workshop, Shared Inquiry, and Personal Dictionaries.

- Transcendental Meditation in partnership with the David Lynch Foundation continues to support students in reducing the stress, anger and anxiety as well as academic and attendance improvements. Students shared receiving benefits and success from the program.

Areas noted for improvement include:

- During the 2012-13 academic year, Aspire Ollin’s Suspension Rate exceeded that of the Similar Schools and Resident Schools. As of the date of the visit (11-11-13) the school leadership shared that the school is currently at 0%. The school is applauded and encouraged to continue to implement the “consequence ladder” and any other supports and interventions deemed necessary to support students and their families in the areas of suspension and expulsions.
February 25, 2014

Los Angeles County Board of Education (LACOE)
9300 Imperial Highway
Downey, CA 90242

Re: Aspire Ollin University Preparatory Academy

Dear LACOE:

This letter sets forth the rebuttal argument of Aspire Public Schools (Aspire) concerning the denial by Los Angeles Unified School District (LAUSD) of its Aspire Ollin University Preparatory Academy charter renewal petition.

Education Code Section 47605(b) states: "In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged."

This same code section goes to state:

"The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth the specific facts to support...the following findings: (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school."

As explained below, LAUSD did not pay deference to the legal requirements set forth above, both substantively and procedurally, and on that basis Aspire contends that the denial of the petition does not comport with California law.

First, Aspire met all requirements set forth by California law for renewals of charter schools. Education Code Section 47607 set forth those requirements, including meeting or exceeding all API growth targets and achieving satisfactory decile status in order to earn renewal. Aspire is well known as one of California's (and the nation's) leading low-income school systems in terms of academic performance in traditionally underserved communities, including those located within the boundaries of LAUSD (and LACOE).
Next, these renewal standards include those specified in Education Code Section 47605, as cited above (see Education Code Section 47607(a)(2)). These requirements include “written factual findings” to show an alleged “unsound educational practice.” This is lacking here; on February 12, 2014 LAUSD sent a short letter to lead petitioner informing her in conclusory terms of the denial and which contained no findings of fact (see pg. 1 of SECTION I). This was followed up with further correspondence dated February 21, 2014 which attached a board report, transcripts from the board proceeding, and a “board report and informative (sic).” While the board report shows clearly that the LAUSD Board denied the renewal petition despite a staff recommendation for approval, they do not constitute “written factual findings” and similarly neither do the transcripts from the board proceeding. The remaining portion of this correspondence responds to LAUSD Board Report 232 – 13/14 (beginning on pg. 47 of SECTION I).

The Board report does not reflect the current status of the law. California law allows for the formation of all-charter SELPAs out of their geographic region and allows SELPAs to design service structures specifically for SELPAs. Furthermore, LAUSD’s reliance on Education Code Section 56195.3(b) is misplaced and supports Aspire’s position, as the subject school is currently a rightful participant in the El Dorado County Office of Education (EDCOE) out-of-geographic area charter school SELPA and would actually be required to give one-year notice before any transition could take place (even if required by law. According to the January 3, 2013 LAO Overview of Special Education in California report, the number of charter schools participating in the EDCOE charter SELPA grew from 23 in 2008-09 to 138 schools in 2011-2012. Furthermore, LAUSD’s contentions concerning the applicable modified consent decree are inapplicable as the renewal petition clearly states that Aspire will comply with all necessary requirements associated with the decree. Finally, LAUSD’s position concerning suspensions, expulsions, or recommendations to parents is not consistent with law, for otherwise California law would not allow for the formation of such all-charter SELPAs nor would there be 138 schools to serve their students through services offered by EDCOE, as authorized by law.

Please let us know if we can be of any further assistance. Thank you for your attention to this matter and for your consideration of the above.

Very truly yours,

TOMISLAV PERAIC, General Counsel

Encs: as stated
Aspire Ollin University Preparatory Academy Charter: Assurances and Affirmations

The Aspire Ollin University Preparatory Academy ("the Charter School") shall:

1. Be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

2. Not charge tuition. EC 47605(d)(1)

3. Not discriminate against any student on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.

4. Admit all pupils who wish to attend the Charter School, EC 47605(d)(2)(A)

5. Determine attendance by a public random drawing, if the number of pupils who wish to attend the Charter School exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the District. EC 47605(d)(2)(B)

6. If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

7. Meet all statewide standards and conduct the pupil assessments required pursuant to Educ. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC 47605(c)(1).

8. Consult, on a regular basis, with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]

NOTE: This charter contains specific "District Required Language" (DRL), where appropriate and consistent with State and Federal law, including the Assurances and Affirmations above. The DRL should be highlighted in gray within each element or section. The charter includes a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the charter.

The Charter School will also follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:
9. The Charter School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]

10. The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(e)(1)] Aspire Public Schools shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]

11. The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C).

12. Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.

13. Not require any child to attend the Charter School nor any employee to work at the charter school.

14. The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.

15. The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]

16. The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. California Education Code Section 47605(l)]
17. The Charter School shall at all times maintain all necessary and appropriate insurance coverage.

18. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]

19. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]

20. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]

21. The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.


25. The Charter School shall comply with the Political Reform Act.

26. The Charter School shall adhere to all applicable provisions of federal law relating to students who are English learners, including Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974.

   The Charter School shall follow any and all other federal, state, and local laws and regulations that pertain to the petitioner or the operation of the Charter School

February 28, 2014

Kate Ford                      DATE

Los Angeles Area Superintendent,  
Aspire Public Schools
Lead Petitioner
Aspire Ollin University Preparatory Academy
Formerly Aspire Centennial College Preparatory Academy

RENEWAL CHARTER for the term July 1, 2014 through June 30, 2019

SUBMITTED NOVEMBER 2013

CDS Code: 19-64733-0112128

Original Charter Approved by LAUSD on June 24, 2003

Material Revision Approved by LAUSD on October 17, 2006

Charter Renewal Approved by LAUSD on June 9, 2009
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Aspire Ollin University Preparatory Academy Charter: Assurances and Affirmations

The Aspire Ollin University Preparatory Academy (“the Charter School”) shall:

1. Be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

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5. Determine attendance by a public random drawing, if the number of pupils who wish to attend the Charter School exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the District. EC 47605(d)(2)(B)

6. If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

7. Meet all statewide standards and conduct the pupil assessments required pursuant to Educ. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC 47605(c)(1)

8. Consult, on a regular basis, with its parents and teachers regarding the Charter School’s education programs. [Ref. California Education Code Section 47605(c)]

NOTE: This charter contains specific “District Required Language” (DRL), where appropriate and consistent with State and Federal law, including the Assurances and Affirmations above. The DRL should be highlighted in gray within each element or section. The charter includes a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the charter.

The Charter School will also follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:
9. The Charter School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]

10. The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)] Aspire Public Schools shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]

11. The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C).

12. Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.

13. Not require any child to attend the Charter School nor any employee to work at the charter school.

14. The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.

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17. The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
18. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]

19. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]

20. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]

21. The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.


25. The Charter School shall comply with the Political Reform Act.

26. The Charter School shall adhere to all applicable provisions of federal law relating to students who are English learners, including Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974.

The Charter School shall follow any and all other federal, state, and local laws and regulations that pertain to the petitioner or the operation of the Charter School

November 6th, 2013

Elise Darwish
DATE

Chief Academic Officer and
Interim Los Angeles Area Superintendent,
Aspire Public Schools
Lead Petitioner
INTRODUCTION

Aspire Public Schools ("Aspire") hereby respectfully submits this charter petition on behalf of Aspire Ollin University Preparatory Academy ("the Charter School").

Aspire was founded in 1998 by experienced educators and entrepreneurs to enrich students' lives and to contribute to innovation in local public school systems. Aspire currently operates charter schools at 37 different campuses in various school districts in the states of California and Tennessee. Aspire is a national non-profit 501(c)(3) public benefit corporation with a vision that "every student is prepared to earn a college degree". Aspire's mission is to open and operate small, high-quality charter schools in low-income neighborhoods, in order to:

- Increase the academic performance of underserved students
- Develop effective educators
- Share successful practices with forward-thinking educators, and
- Catalyze change in public schools

The Charter School has been chartered in the Los Angeles Unified School District ("District" or "LAUSD") under the auspices of Aspire since 2004.

The Charter School's present charter term is set to expire on June 30, 2014. The Charter School complies with the legal requirements for renewal as set forth in Education Code § 47607(b) as it has:

1. Attained (or exceeded) its Academic Performance Index ("API") growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school;

2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years;

<table>
<thead>
<tr>
<th>Year</th>
<th>Statewide Ranking</th>
</tr>
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<tbody>
<tr>
<td>2012</td>
<td>6</td>
</tr>
<tr>
<td>2011</td>
<td>6</td>
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<tr>
<td>2010</td>
<td>6</td>
</tr>
<tr>
<td>2009</td>
<td>7</td>
</tr>
</tbody>
</table>

3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years;

<table>
<thead>
<tr>
<th>Year</th>
<th>Similar Schools Ranking</th>
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</thead>
<tbody>
<tr>
<td>2012</td>
<td>9</td>
</tr>
<tr>
<td>2011</td>
<td>10</td>
</tr>
<tr>
<td>2010</td>
<td>10</td>
</tr>
<tr>
<td>2009</td>
<td>10</td>
</tr>
</tbody>
</table>
The Charter School has done a financial analysis and projections that support the continued operation of a secondary school in the District on a financially sound basis.

The Charter School is located at 2540 East 58th Street, Huntington Park, California, on Aspire property. This is the facility in which operations are conducted.

In accordance with the Charter Schools Act of 1992, Aspire hereby respectfully petitions the Los Angeles Unified School District ("the District") to renew the charter for Aspire Olin University Preparatory Academy for a five-year period, from July 1, 2014 to June 30, 2019.

The Charter Schools Act of 1992 states that:

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

(a) Improve pupil learning.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

(c) Encourage the use of different and innovative teaching methods.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

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

The Charter School has made and will continue to make important contributions to the legislative goals outlined above. By granting this charter renewal, the District will help

Aspire Olin University Preparatory Academy Charter Renewal 2014-19
fulfill the intent of the Charter Schools Act of 1992 ("Charter Schools Act"), while providing students in the District with a small school option.

**Element 1: The Educational Program**

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

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

A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

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

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements.

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

**GENERAL INFORMATION**

- The contact person for the Charter School is Jennifer Garcia.
- The contact address for the Charter School is 2540 East 58th Street, Huntington Park, CA 90255.
- The contact phone number for the Charter School is (323) 277-2901.
- The proposed address or target community of Aspire OLLIN is 2540 East 58th Street, Huntington Park, CA 90255, which is located in Los Angeles Unified School District ("LAUSD" or "District") Board District 5 and Educational Service Center South.
- The term of this charter shall be from July 1, 2014 to June 30, 2019.
- The number of students in the first year of the renewed charter will be 545.

- The grade level(s) of the students in the first year of the renewed charter will be 7-10. The School will ultimately grow to a 6-12. (Note: The previous facility for this charter could only accommodate grades 6-8 due to limited capacity. Now that we have been able to build a larger facility, we will actively grow the school to serves students grades 6-12, adding 1 grade level at a time, as we have done in our other schools to effectively cultivate and maintain school culture. In this case, growth is a bit more complex given the need to accommodate our temporary dual location across the street from the School. See table below.

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>Current</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td>2013-14</td>
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<td>2017-18</td>
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<td>160</td>
<td>160</td>
<td>90</td>
<td>90</td>
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<td>90</td>
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</tbody>
</table>

- The scheduled opening date of Charter School is August 13th, 2013.
- The admission requirements include:
  - Completion of a Student Interest Form for each child who is interested in attending the school
  - The enrollment capacity is 600. (Enrollment capacity is defined as all students who are enrolled in Charter School regardless of student residency).
  - If space is available, traveling students will have the option to attend.
  - The type of instructional calendar will be a modified traditional calendar.

**ACADEMIC CALENDAR AND SCHEDULES**

Charter School shall offer, at a minimum, the number of minutes of instruction set forth in California Education Code § 47612.5, and the number of school days required by Cal. Admin. Code, tit. 5, § 11960.

**Instructional Minutes Calculator**
The Charter School's academic calendar and general bell schedule can be found below, as well as the instructional minutes calculator and complete schedules by grade found below the bell schedules.

**Academic Calendar**

![Calendar Image]

**Bell Schedules**

All 7th grade & 8th girls

<table>
<thead>
<tr>
<th>MON (A)</th>
<th>TUE (B)</th>
<th>WED (A)</th>
<th>THU (B)</th>
<th>FRI (A-B)</th>
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Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
All 9th grade & 8th Boys

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Complete Schedules by Grade

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
LOCAL CONTROL AND ACCOUNTABILITY PLAN
Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School submit a Local Control and Accountability Plan (LCAP) to the Charter Schools Division and the Los Angeles County Superintendent of Schools on or before July 1, 2014. In accordance with California Education Code §§ 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code § 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template to be adopted by the State Board of Education. Charter School shall submit its annual update to the Charter Schools Division on or before July 1 of each applicable year, beginning in 2015. Charter School shall comply with all requirements of Education Code § 47606.5, including but not limited to the requirement that Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.” § 47606.5(e).

STUDENT POPULATION TO BE SERVED

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
<table>
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<tr>
<th>Student Characteristics</th>
<th>Year 1</th>
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Projections of who we will serve

According to demographic data compiled by the California Department of Education ("CDE"), the District enrolled 655,494 students in 2012-13. Of these students, African Americans constitute 9.4% of the students, American Indians 0.4%, Asians 4.0%, Filipinos 2.1%, Latinos 73.6%, Pacific Islanders 0.4%, and Whites 9.2%. During the 2012-13 school year, students who spoke English as a second language made up 26.1% of the District student body. The Charter School seeks to enroll a diverse population of students that reflects these demographics.

Aspire’s educational program is based on the instructional needs of our target student profile. Aspire targets the following students:

- Students who are not currently successful in their current core academic subjects;
- Students whose academic or English language learning needs necessitate a small school environment with personalized attention;
- Students whose academic or English language learning needs are not being met in a traditional school environment; and
- Students whose diversity represents their respective communities.

In education, one size does not fit all and Aspire is dedicated to providing students and families throughout the State of California with a small school option that can meet their unique needs.
## SURROUNDING SCHOOLS DEMOGRAPHIC AND PERFORMANCE DATA

<table>
<thead>
<tr>
<th>LAUSD SCHOOLS</th>
<th># of Students</th>
<th>% Students Eligible for Free/Reduced Lunch</th>
<th>% of Special Ed. Students</th>
<th>% of ELL Students</th>
<th>% Major Ethnicity</th>
<th>% Major Ethnicity</th>
<th>2013 Growth API</th>
<th>2012 API State Ranking</th>
<th>2012 Similar Schools Rank</th>
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Source: CDE [http://dq.cde.ca.gov/dataquest/]

## COMMUNITY NEED FOR CHARTER SCHOOL

The Charter School provides a safe, high performing alternative for families in the Huntington Park area. Year after year over 90% of our parents answered Yes when asked, “Is your student getting a good education at this school?” We have an extensive waitlist for families who would like to attend the school. The academic success outperforms the neighborhood school with the highest Academic Performance Index by over 35 points when compared to both LAUSD schools and local charter schools. The School is poised to continue its success with a strong leaders and a committed group of educators.
THE SCHOOL’S MISSION

The Charter School’s mission is to provide all students with an exceptional education that will allow them to excel inside and outside the classroom. The Charter School seeks to achieve this mission by offering students a rigorous core curriculum, an outstanding staff, high standards and expectations, extended instructional hours, and personalized learning opportunities. The Charter School will strive to ensure that students are prepared for college and for the 21st century world and workplace by helping them develop important basic skills, thinking skills, and life skills.

THE EDUCATED PERSON IN THE 21ST CENTURY

Aspire recognizes that to be an Educated Person in the 21st century, our students need to have a foundation of knowledge and skills to access this world of ideas, as well as the ability to analyze information, ask good questions and innovate new ideas, and express themselves thoughtfully. They must also have habits of mind that include self-motivation, intellectual curiosity, analytic ability, creative thinking, moral reasoning, self-confidence, and empathetic action. Thus equipped, students will excel in college and become engaged and empowered citizens in their community and beyond.

HOW LEARNING BEST OCCURS

Aspire’s education program is designed to give students the content knowledge and habits of mind necessary to face the challenges of the 21st century. The California Common Core State Standards (“CA CCSS”) drive the instruction of all Aspire charter schools by providing the road map of what students need to know. Students will have the skills and habits of mind to graduate from the Charter School with the A-G approved coursework in order to gain admission to a postsecondary school of their choice.

In order to prepare students to succeed in college, Aspire’s educational program has drawn on the Center for Educational Policy Research’s study Standards for Success (2003). This research gathered information about the required skills to succeed in college from more than 400 staff and faculty members at research universities. The authors of this research believe college students need “critical thinking, analytic thinking and problem solving; an inquisitive nature and interest in taking advantage of what a research university has to offer; the willingness to accept critical feedback and to adjust based on such feedback; openness to possible failures from time to time; and the ability and desire to cope with frustrating and ambiguous learning tasks.” Aspire has interwoven these habits into its core curriculum, which the Charter School follows. With the adoption of the CA CCSS, the Charter School program will be more tightly aligned to our college readiness goal.

Additionally, Aspire has built a College For Certain® culture. Beginning in kindergarten, students are informed and inspired to succeed in high school and attend
colleges. Classrooms are named after universities with the year the class will graduate from college above the door. Teachers and principals proudly share their college going experiences, diplomas and challenges. Through Aspire’s schools, students are given the will, the skills and the habits of mind to attend college and succeed in life by becoming self-motivated, competent, and lifelong learners.

THE CHARTER SCHOOL’S PROGRAM DESIGN ELEMENTS

Community

Aspire schools are small with approximately 60-180 students per grade level at the secondary level. The schools are broken into divisions and small classes to create a community where each student is known personally.

- *Small Schools:* Students are more likely to succeed in small schools, where teachers and the principal know each family well. Students and their needs are not lost in the crowd. Target enrollment for Aspire’s secondary campuses (6-12) is between 510 and 600 students.

- *Small Class Sizes:* In smaller classes, teachers can give each individual student the time and individual attention necessary to realize his or her personal academic goals.

- *Advisory Groups:* Beginning in the 6th grade, each student is assigned to an advisory group of approximately 25 students that meets on a regular basis with an adult advisor. The advisor acts as a bridge between the Charter School and the students’ other communities (e.g. family, work, clubs, social service agencies). Ideally, the same group stays together for several years, sometimes through graduation, and provides a support structure for students.

Learning Time

Aspire provides 15% more learning time for students than traditional public schools, and uses time more effectively during the year and day to maximize in-depth learning.

- *Longer School Day:* Students learn more when they are given more time to learn each day. With more time, teachers can create more effective projects to build higher order thinking skills. Aspire schools have, on average, a 7.5 hour school day for grades 1-12. In other words, Aspire students receive about one hour more instruction each day than students in traditional public schools.

- *Longer School Year:* Aspire schools provide approximately 186 to 190 days of instruction, which is about 11 more days than traditional public schools. Some of these additional days are on Saturday, when families can attend class with their children.
• **Modified Traditional Calendar:** The Charter School uses a modified traditional calendar (shorter summer recess) to decrease the loss of learning during extended recesses. The School starts earlier than traditional calendars, includes a Fall Break and runs later into the summer.

**Teaching Methods**

All educators at Aspire Public Schools use a variety of pedagogical strategies to ensure all students learn and grow continuously. Strategies are selected based on the teacher’s knowledge of how students best learn different topics, and are usually used in combination. Aspire has created Instructional Guidelines (PACING GUIDES) in math, language arts, science and humanities (i.e. the interdisciplinary study of social sciences, literature, and art), that spell out the frequency and purpose for each type of instruction. These instructional strategies are well-aligned to the deep understanding required by the California Common Core State Standards and the academic content and performance standards. The Instructional Guidelines will be revised annually as more is learned about effectively implementing the CA CCSS. Sample Instructional Guidelines (PACING GUIDES) are attached in **Appendix L.** These guidelines, as well as the purchased curriculum materials, provide the structure for a standards-based curriculum. Aspire educators are also trained to adapt these methods in ways that maximize personalized experiences each child receives. The major strategies used include:

• **Explicit Instruction:** in this traditional form of teaching, the teacher presents the lesson, which includes: a purpose; specific instructions; modeling; guided practice; and checking for understanding. At the conclusion, students individually demonstrate their new skills or knowledge.

• **Massed and Distributed Practice:** this retention strategy provides students with many opportunities to practice new skills upon initial learning. Practice is then distributed over the course of many months to increase the retention of previously learned skills and knowledge.

• **Problem Solving:** this method provides students with a step-by-step process for determining the solution.

• **Inquiry:** in this process, students are presented with a problem or question, and formulate and test theories to work towards a solution.

• **Culturally Appropriate Curriculum and Instruction:** A multicultural curriculum and culturally sensitive pedagogy will enable students to appreciate and respect their own and each others’ heritages and to develop an understanding of multiple perspectives.

• **Flexible Supports:** Many supports will be provided within the classroom, the Charter School and community. For example, pedagogical support might include literacy support, tutoring across subject areas, and second language learning supports.
• **Diagnostic Assessment:** Teachers will use a wide range of diagnostic assessments to evaluate how students are learning as well as what they are learning. These assessments will inform decisions about the curriculum and teaching strategies as well as individual supports for students. Once each term the teacher, parents and students will discuss the student's learning strengths and weaknesses, and set goals for the next semester. The rubric is attached in Appendix A.

• **Authentic Experiences:** At Aspire schools, students learn literacy skills through authentic reading and writing experiences, including shared reading, guided reading, independent reading, shared writing, interactive writing, writing workshops and independent writing. At Aspire schools, students focus on “reading to learn,” through reciprocal teaching, literature circles, and the use of both non-fiction books and classical literature. Students also learn by applying the scientific method to hands-on experiments and by interacting with others on community issues.

• **Distance Learning:** In grades 11 and 12, students may elect to take some specialized coursework on-line, through colleges and universities.

**Curriculum**

Aspire uses a combination of adopted programs and curriculum developed in-house to meet Aspire standards and build basic skills, higher-order thinking skills, and life-skills. The curriculum is clearly articulated as a K-12 system and based on the CA CCSS. All elements of the curriculum are research-based and have been proven effective in schools. The specific CA CCSS curriculum materials will be determined through an organization-wide adoption process. For more details on Aspire’s plan for transition to California Common Core State Standards, please refer to Appendix B.

• **Language Arts:** Students communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. This may be through oral reports and debates, written letters and essays. Through the examination of various texts, students demonstrate critical reading and active listening skills in order to comprehend, interpret and evaluate ideas. Students write extensively in both expository and creative forms.

When students are learning to read, instruction will focus on phonemic awareness, phonics instruction, fluency, and text comprehension. Writing is integrated into the learning process. In preparation for the change to the California Common Core State Standards for English Language Arts & Literacy (“CA CCSS for ELA/Literacy as well as preparing them for college, students write in every subject with writing instruction embedded into feedback, as well as explicit writing instruction.

One of the main resources in K-6 literacy instruction may be the Open Court Reading materials. Writing may be supplemented with vocabulary and instruction based on the Lucy Calkins Units of Study in grades 6 through 8. These units are
aligned with the California Common Core State Standards and teach students how to use evidence and academic vocabulary as they write in the required genres. The curriculum uses a Writers’ Workshop format. Grades 9 -12 use California’s Recommended Literature list, as well as texts referenced in the CA CCSS for ELA/Literacy for the core of its English Language Arts program. This may be supplemented with real life readings such as editorials, non-fiction texts and additional resources such as Write Source.

- **Social Science**: Aspire’s history and social studies curriculum ensures that students are historically literate (including culture, geography, politics, economics, and ethics) and become active, informed citizens (including U.S. policy and effective research techniques). Students apply historical, political, philosophical, geographical, economic and sociological knowledge to local and global situations in order to comprehend contexts and events, predict and evaluate the outcomes of human actions, and act responsibly as world citizens. Students learn to apply chronological, thematic and integrative thinking, develop and test hypotheses about cause and effect, gather evidence to support conclusions, use methods of historiography, conduct in-depth and relevant research, critically examine sources, and synthesize ideas. Materials at both the elementary and secondary level include primary sources, historical literature, History Alive! Interact and a variety of non-fiction texts as recommended by the CA CCSS.

Throughout the K-12 instructional program, social science and language arts are interwoven. The stories and facts in history are the vehicles for instructing students to read and write.

- **Mathematics**: Students apply mathematical concepts and processes, including number systems, operations, graphics and logic, in order to problem-solve within and outside of mathematics. Students demonstrate facility with the language of mathematics and express generalizations discovered through investigation. Students are expected to be competent in symbolic reasoning and in constructing logical arguments.

A balanced approach provides both the conceptual understanding of math and the skills to solve problems. By providing extensive math time in secondary schools, our state adopted math materials, Harcourt Brace, Prentice Hall and California Preparatory Mathematics can be interwoven with other real-life problems. These materials will also change or be updated with the realignment with the CA CCSS: Mathematics.

A key tool in mathematics instruction is the standards-based software program Edusoft. Edusoft creates scores and reports standards-based assessments. Aspire uses these assessments as both benchmark exams and formative assessments. The Edusoft reports in all subjects inform the teacher on whether the students have mastered a standard or need further instruction. Aspire is currently in the process of reviewing several vendors for CA CCSS aligned questions to create CA CCSS aligned assessments.
For example, the results of a standards-based assessment given in 6th grade might show that 90% of the students mastered Math Standard Number Sense CA CCSS: Apply and extend previous understandings of multiplication and division to divide fractions by fractions, but only 15% mastered Number Sense CA CCSS: Compute fluently with multi-digit numbers and find common factors and multiples. The teacher would provide remediation for students who did not understand one standard and reteach the whole class the other standard. Teachers use this data on a daily cycle. Grade level teams, principals and subject level teams look at this assessment data every two weeks.

- **Science:** Students demonstrate understanding of scientific concepts and ideas through real-world applications. The Next Generation Science Standards are the basis for content and scientific thinking. Students utilize scientific research and inquiry methods to conduct investigations and problem-solve. They apply conceptual knowledge and processes from the major branches of science (biology, chemistry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines. Additionally, the instruction aligns with the technical writing and reading standards outline in the CA CCSS. Aspire uses a variety of curriculum materials and the state adopted textbooks may be supplemented with AIMS, FOSS, scientific readings and local scientific resources such as guest speakers, field trips, and presentations.

- **Spanish/Second Language:** Students work with the fundamentals of language structure, pronunciations, grammar, vocabulary, idioms and phrases in Spanish to develop competency in oral and written Spanish. Students work with Spanish texts to develop an understanding and appreciation of the various Spanish-speaking cultures. Although Aspire primarily offers Spanish as a foreign language, our schools encourage 9th through 12th grade students to take advantage of courses online or at local colleges to receive instruction in other languages.

Other subjects essential to a healthy and balanced life are also covered in a variety of ways:

- **Visual and Performing Arts:** Appreciation and participation in the arts are essential to each student's development. At the elementary level, arts are integrated into thematic units to inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Visiting artists and parent docents also provide special programs in the arts. Aspire secondary schools offer some on-campus electives in visual and performing arts and establish partnerships with local arts organizations and colleges to provide additional programs for students.

- **Health:** Students develop an understanding of the importance of health and nutrition through classroom instruction, selected special programs, collaborations with local health agencies, and thematic units. Health instruction follows the California Health Framework. Data from the California Healthy Kids survey or our own internal surveys will inform additional needed interventions.
**Early College Model**

All Aspire secondary schools follow the Early College High School model, which is recognized by the California Department of Education as an important option for removing major barriers for "young people who are underrepresented in postsecondary education." The California Department of Education partners with the Chancellor’s Office for the California Community Colleges to support the Early College High School (ECHS) Initiative of the Foundation for California Community Colleges.

An Early College High School, Aspire aims to blend high school and college into a coherent educational program, making it possible for all students to earn two years of college credit at the same time they are earning a high school diploma (within four to five years of entering ninth grade). (AB 967 and California Education Code 48800 – 48802 provides for high school students to concurrently enroll in high school and college courses.) College classes may be provided online, on the Charter School’s campus, or on a local college campus. The courses may be taught by a college instructor or an employee of the Charter School who has been qualified by a local college.

**Alignment with California state standards and UC A-G requirements**

All secondary courses that are tested through California’s Standardized Testing and Reporting (“STAR”) program are offered as high school courses, ensuring that all students master the CA CCSS. With the change to the CA CCSS, these will be realigned. For non-tested courses, Aspire schools work to earn recognition through California’s UC Doorways program to ensure that all courses meet the level of rigor for college preparatory work.

<table>
<thead>
<tr>
<th>Sample Scope and Sequence</th>
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<tbody>
<tr>
<td><strong>A – G Reqmt</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>A: Social Science</td>
</tr>
<tr>
<td>B: English</td>
</tr>
<tr>
<td>C: Math*</td>
</tr>
<tr>
<td>D: Lab Science</td>
</tr>
<tr>
<td>E: Foreign Language</td>
</tr>
<tr>
<td>F: Art</td>
</tr>
<tr>
<td>G: Electives</td>
</tr>
<tr>
<td>Aspire Addt (non-core)</td>
</tr>
<tr>
<td>Advisory</td>
</tr>
</tbody>
</table>

* Students are expected to pass Algebra in the 8th grade
**Courses in italics and highlighted will be community college or university classes.**

**Course Descriptions**

- **World History**
  Throughout this course, students will examine the themes of identity, community, and interactions—how people identify themselves, organize into communities, and interact with each other and other communities to resolve conflict. Students will examine the rise of democratic ideas in theory and reality, and trace the development of democracy over time. We will also examine the formation of nations and the conflicts that have since arisen—imperialism, World War I, World War II, and the drive for independence. Students will see how history shapes current conflicts and global issues as they trace issues of imperialism through the 20th century and up until today.

- **U.S. History**
  This is a one-year required 11th grade class that must be passed to qualify for graduation. Students will examine the major turning points in American history in the 20th century. They will review the nation’s beginnings, democratic ideals, and industrial transformation. They will cover a series of thematic units: the Progressive Era, the Jazz Age, the Great Depression, World War I, World War II, the Cold War, Civil Rights Movement, the Vietnam Era, and contemporary American society.

- **Econ**
  This course involves the study of economics in a changing American society. Problems of unemployment, inflation, automation, government spending, and international trade will be explored. Students will learn about capitalism, socialism and communism. The course will also cover poverty, monetary policy, amendments, fiscal policies and the balanced budget.

- **U.S. Government**
  This course is designed for seniors to provide an understanding of the functions of federal, state and local government. Major emphasis is placed on the US Constitution and its influence at all governmental levels and the rights and the responsibilities of the American citizenship.

- **English 1**
  English 1 is a literature-based course that will cover reading, writing, listening and speaking in accordance to the California State standards. Students will read texts covering five genres: short story, poetry, fiction, non-fiction, and drama. The literature will be historically and culturally significant. Students will read six novels and will respond to the literature in a variety ways including essay writing, character analysis, dramatic simulations, and oral debates. Throughout the year, students will work on the following skills: vocabulary development, directed reading and writing, literary analysis, and language mechanics. They will complete a variety of writing activities including: narrative, expository, persuasive, and interpretive essays. These activities will help them to develop research and organizational skills and all essays will follow MLA style guidelines.

- **English 2**
  This course is for tenth grade students who have successfully completed English 1. Students will read a variety of genres (non-fiction, fiction, short stories, poetry, and drama), and will analyze texts within a historical/cultural context. Students will be required to use close-reading and critical thinking skills in order to engage in an in-depth analysis of the 6 texts they will be studying. They will engage in a thematic study of literature that will required them to compare and contrast texts, as well as make connections between the literature and corresponding historical contexts. Activities in each unit will help students develop their reading, writing, and oral skills. Students will complete a variety of writing activities, including interpretive, narrative, persuasive, and descriptive writing that demonstrate critical thinking, organization, and drafting strategies. In addition, students will increase their vocabulary, further their knowledge and application of English mechanics, and learn important research skills that will be required of them in advanced English courses. This course is
intended to help students meet the state language arts content and performance standards, as well as prepares them for the rigor of college courses.

- **English 3**
This course is designed for eleventh grade students who have successfully completed English 1 and English 2. The course focuses on reading, writing, listening and speaking in accordance with the California State standards. Students study a variety of genres including non-fiction, novels, short stories, poetry, and drama. The course is linked with the United States History course and the literature read is tied to the events studied in that course. Students engage in a thematic study of literature that requires them to compare and contrast texts, as well as make connections between the literature and corresponding historical contexts. Students complete a variety of writing activities, including interpretive, narrative, persuasive, and descriptive writing that demonstrate critical thinking, organization, and drafting strategies. In addition, students will increase their vocabulary, further their knowledge and application of English mechanics, and learn important research skills that will be required of them in advanced English courses.

- **Geometry**
The main purpose of the geometry curriculum is to develop geometric skills and concepts and the ability to construct formal logical arguments and proofs in a geometric setting. Although the curriculum is weighted heavily in favor of plane (synthetic) Euclidean geometry, there is room for placing special emphasis on coordinate geometry and its transformations.

- **Algebra 2**
This is a one-year course that expands on the basic algebraic concepts involved in solving equations and inequalities, factoring polynomials, graphs, exponents, and solving quadratic equations. In addition, it examines quadratic, logarithmic, and exponential functions, the application of functions to real world problems, conic sections, probability, trigonometric functions, and complex numbers.

- **Pre-Calculus**
This one-year course gives students a foundation in polynomial, rational, exponential, and trigonometric functions and teaches them to apply mathematical principles to a variety of problems. Students learn to use data points and a problem statement to solve a particular problem. Graphical tools help them interpret the results and present them in both mathematical models and verbal descriptions.

- **Statistics**
This course is an introduction to the study of probability, interpretation of data, and fundamental statistical problem solving. Topics include data collection and description, methods of descriptive and inferential statistics, hypothesis testing, correlation and regression, the analysis of variance and contingency tables.

- **Physics**
This course focuses on physics as a basis for the sciences as it is physics that attempts to explain natural phenomena using scientific inquiry. We will study five specific natural phenomena: motion and forces; conservation of energy and momentum; heat and thermodynamics; waves; electric and magnetic phenomena. The lab work will provide students with opportunities to apply conceptual understandings and provide a foundation for laboratory techniques.

- **Biology**
This is an introductory and comprehensive biology class. Students will study cell biology, genetics, evolution, ecology and physiology through lecture, discussion, readings, projects, simulations and laboratory activities.

- **Chemistry**
This one-year course will tie modern chemistry concepts and skills to mathematics. Students will study and analyze math concepts through scientific investigation and experimentation to further develop their understanding of these two major areas of science.
- **Spanish**
  This is an introductory course for students learning a foreign language. It is intended to develop limited facility in each of the major communication skills: listening, reading, speaking, and writing. Major emphasis is on development of the ability to speak fluently with accurate pronunciation and intonation, while fostering an appreciation of the culture.

- **Art 1**
  In Art 1, students will learn specific artistic techniques that reflect different historical and cultural styles. They will be exposed to a variety of artists, art forms, and genres and will gain an appreciation for art and will learn the language to describe, critique, and respond to different works of art. The students will have the opportunity to produce artwork that shows individual creativity and growth.

- **English Composition**
  This course is frequently taught as a companion course to English Language Arts. Currently no composition courses in Aspire have received a-g approval although other schools in California have earned this recognition. The course is designed to give students additional practice in writing—largely in the form of expository writing. Literary analysis and creative writing are reserved for the English literature courses.

- **Psychology**
  This is an introductory, year-long course in Psychology that is UC approved.

- **Technology**
  Aspire requires two semesters (10 units) of technology coursework that includes Computer Literacy, Computer Science, or Intro to MS Office.

- **Advisory**
  This is a mandatory course that all students take every year. An assigned advisor works on academic preparation and planning, social and emotional development, and college and career advising. The purpose of Advisory is to help personalize instruction as well as to build meaningful relationships, focus on academic improvement, and to help students prepare for college. This course does not meet University of California a-g requirements and is worth 5 credits per semester (equivalent to one semester of instruction).

**INFORMING PARENTS ABOUT THE TRANSFERABILITY OF COURSES TO OTHER PUBLIC HIGH SCHOOLS AND THE ELIGIBILITY OF COURSES TO MEET COLLEGE ENTRANCE REQUIREMENTS**

Parents will receive a student and family handbook (in both English and Spanish) at the beginning of each school year that describes the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Aspire's current plans and expectations regarding course transferability and eligibility for college entrance requirements are described below.

The Charter School will seek to earn accreditation by the Western Association of Schools and Colleges (WASC) and to ensure that every student has the opportunity to graduate with University of California/California State University (UC/CSU) approved coursework. With WASC accreditation and UC/CSU course approval, students’ coursework is recognized by other schools and out of state universities and colleges and by the admissions committees of the UC/CSU system. Ollin submitted their initial WASC site documents in December of 2013. Ollin’s initial WASC visit is scheduled for the Spring of 2014.
• The secondary portion of the curriculum will develop both a foundation of basic skills and cultivate higher-order thinking skills; it will be simultaneously rigorous and relevant to students. The educational program emphasizes interdisciplinary thinking among subject areas. Upon completion of the graduation requirements, students will have met the University of California system A-G subject requirements course requirements (See below).
• Pass portfolio and exhibition reviews (See below).
• Passing of the California High School Exit Exam
• College readiness and acceptance at a four-year college or university (See below).

High School Graduation Requirements: Prescribed Course of Study

Students may fulfill course requirements through coursework at the Charter School or through approved on-line coursework or approved coursework at a local college or community college. Students wishing to earn a high school diploma from the Charter School shall successfully complete course work within a course of study in alignment with the UC/CSU a-g program and earn a designated number of credits.

As an early college high school, students at the Charter School must have at least 240 instructional minutes on an average day Ed Code (46146.5)* provided by teachers at the school site. In most cases, these courses will include core classes of English, Math, History, Science, and Language classes. In some cases, students may take high school courses to meet high school graduation requirements, either electives that the school is unable to offer or courses needed for recovery. Typically these courses are in addition to the core offerings that generate the 240 minimum instructional minutes. All courses must meet A-G approval or be IGTSE transferrable to count towards graduation from Aspire.

It is always the preference of Aspire that students recover classes they may not have passed by taking the course with one of our instructors who can provide oversight and support. However, from time to time, rapid recovery is desirable and students may participate in recovery classes with partners such as Advanced Academics, NovaNet or CyberHigh. In these courses, students are supervised by individuals with success in encouraging and motivating students to stay on track and realize their college goals. In most cases, students are limited to no more than one class period for on-line credit recovery. Costs for enrolling in these courses are paid for by the Charter School on behalf of students.

“Waiver of High School Graduation Requirements

Graduation requirements are established with the expectation that all students will complete them as listed. It is recognized, however, that in special cases individual students may have reason to request a waiver of one or more required courses in order to accomplish specific academic goals not possible within the required program.
An individual student may be granted an exemption from any Aspire course requirement provided there is a direct relationship between his/her inability* to meet the requirement and the student’s ability, including: limited course offerings, late transfer into an Aspire school, accommodations or modifications associated with IEPs or 504s, etc. Waiver of graduation requirements is determined by the Director of Secondary Programs, but shall not alter the total credit requirements established by the Aspire Board of Directors."

*If students are taking classes in a public community college, CSU or UC in their 11th or 12th grade year, they are only required to have 180 instructional minutes.

<table>
<thead>
<tr>
<th>A-G Approved Courses by Subject</th>
<th>Credits Required</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. History/Social Sciences</td>
<td>30</td>
<td>1 year of World History, 1 year of US History, 1 semester each of US Government &amp; Economics.</td>
</tr>
<tr>
<td>B. English</td>
<td>40</td>
<td>Emphasis in Literature &amp; Composition.</td>
</tr>
<tr>
<td>C. Mathematics</td>
<td>20</td>
<td>Courses must be taken in grades 9-12 and should include at least Geometry and Algebra 2; 3 years recommended.</td>
</tr>
<tr>
<td>D. Laboratory Science</td>
<td>20</td>
<td>In at least two areas: physical and biological science; 3 years recommended.</td>
</tr>
<tr>
<td>E. World Languages</td>
<td>20</td>
<td>Courses must be taken in grades 9-12. Twenty credits must be earned in the same language.</td>
</tr>
<tr>
<td>F. Visual &amp; Performing Art</td>
<td>10</td>
<td>The 10 credits must be in the same form of art.</td>
</tr>
<tr>
<td>G. Electives</td>
<td>50-70*</td>
<td>Courses can be additional years in any of the A-G courses listed above or labs which extend the A-G courses. Courses such as PE, academic literacy, etc. do not satisfy this requirement.</td>
</tr>
</tbody>
</table>

Advisory (non-core) 20-40* Students must enroll in and pass advisory every year. Schools will vary in offering half or full courses.

Technology (non-core) 10 May waive by exam or juried assessment; if waived, credits substituted by another college preparatory elective.

Total 240 All students must earn a C- or better for credit.

*Schools that opt for less advisory time will include more academic electives.

**High School Graduation Requirements: Additional Requirements**

Students wishing to earn a high school diploma from the Charter School, in addition to the prescribed course of study as detailed above must also complete the following:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Exhibitions</td>
<td>Students must successfully complete an exhibition in each grade</td>
</tr>
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</table>

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
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<tbody>
<tr>
<td><strong>College Credits</strong></td>
<td>Students must take at least 5 college courses, 15 college credits which will be financed by Aspire Public Schools. College units may be equivalent to 50 or more high school credits and may be used to satisfy the academic elective or A-G requirements above. This may be waived by schools due to school financial constraints as needed, however students must still meet the academic elective requirement above. (This is a pre-condition for graduating. Families are aware that these are our graduation requirements before entering.)</td>
</tr>
<tr>
<td><strong>College Entrance Exams</strong></td>
<td>Students must apply for and take the prescribed college-board entrance examinations. Aspire Public Schools will cover all costs of these exams, either through grants from the testing institutions or other fundraising. (Students are required to take college entrance exams but they are not required to pass).</td>
</tr>
<tr>
<td><strong>College Applications</strong></td>
<td>Students must apply to at least three (3) 4-year colleges or universities (in addition to or instead of community colleges). In most cases, students are able to apply to schools that will waive application fees. In cases where this is not possible Aspire will financially assist students in meeting this obligation. (This is required for graduation).</td>
</tr>
<tr>
<td><strong>College Financial Aid</strong></td>
<td>Students must apply to at least one (1) scholarship and/or complete the FAFSA. (This is required for graduation).</td>
</tr>
</tbody>
</table>

**NOTE:** There is an advisory program and counselor support that helps students reach these requirements.

**Portfolio and Exhibition Requirements**

Students must complete an exhibition in each grade level: 9, 10, 11 and 12. Students will also be expected to present and defend a number of their portfolios before a panel of judges including teachers and outside assessors.

**College Readiness and Acceptance to a Four-Year University**

In addition to providing support for students to develop a college-going identity, Ollin also utilizes a myriad of tools for providing support to students who may fail to meet academic milestones while in high school. The school proactively seeks to reduce failure in high school through a robust middle school instructional program that provides students with intervention in mathematics and English prior to beginning high school. Additionally, in high school the academic counselor works to track all students who are
falling behind in coursework and then leverages support systems such as study hall and advisory to assist students in developing the skills that are required to meet A-G expectations. Unfortunately, students still fail the occasional class. Credit recovery options include re-taking the course at Ollin, taking the class from an on-line or external provider, summer school and on occasion college replacement courses.

Very few students transfer to Aspire Public Schools after the conclusion of their 10th grade year. Families who wish to transfer meet with the academic counselor to determine the student’s course requirements and to identify a trajectory for graduation.

Assessment

At Aspire Public Schools, assessment is a critical tool for observing individual student progress, determining the efficacy of individual teachers, and evaluating the success of the program as a whole. Multiple assessments are used because no single assessment provides sufficient information on students’ learning regarding all three outcomes. Aspire students are assessed through:

- All standardized and standards-based tests required for traditional public schools that are mandated in the California Education Code (including, but not limited to, Smarter Balance Assessment Consortium assessment, CELDT and Physical Fitness Test);

- Other nationally recognized norm-referenced and/or developmentally based tests (e.g. Developmental Reading Assessment, Scholastic Reading Inventory (SRI), Scholastic Aptitude Test (SAT) and/or American College Test (ACT))

- Specialized assessments developed by Aspire Public Schools for all areas of the academic core (e.g. project rubrics, Aspire Writing Assessment);

- Day-to-day assessments related to specific content or skills (running record for language arts; Edusoft assessments; math computation quizzes, unit tests);

- Qualitative observations of the process of learning (teachers’ anecdotal notes, a child’s reflection log, internship mentor reports); and

- Examination of final grade level projects, Exhibitions, are designed by each school to reflect a deep exploration of a key grade level standard- for example a Physics standard, character analysis, media literacy- which include independent research, preparation of a presentation and delivery of that presentation to an audience of external evaluators.

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1 The growing emphasis on norm-reference tests is much debated. Educationally, standardized tests are only a single indicator of mastery in basic skills; however, they are regarded by employers and policymakers as broadly meaningful. Aspire Public Schools believes that students should be prepared to be successful on the tests that they are held accountable for; these tests are often the key to future opportunity.
**Technology as a Tool**

At Aspire, technology is used as a tool for research, communication, and production—just as it is in everyday life. Each school has 3 to 5 computers in a classroom with Internet access, a computer lab or access to banks of laptop computers. Students exercise their higher-order thinking skills through simulations and presentations, their communication and production skills through electronic mail and publishing, and their research skills through use of electronic references, including the Internet. Students are required to take a computer course as part of their graduation requirements. This class not only prepares students to succeed in the 21st century, but prepares them for the CCSS online assessments.

### ANNUAL GOALS AND ACTIONS IN THE STATE PRIORITIES

<table>
<thead>
<tr>
<th><strong>CHARTER SCHOOL ANNUAL GOALS AND ACTIONS TO ACHIEVE STATE PRIORITIES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State Priority #1.</strong> The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</td>
</tr>
<tr>
<td><strong>ANNUAL GOALS TO ACHIEVE PRIORITY #1</strong></td>
</tr>
<tr>
<td>The Charter School’s teachers will be appropriately assigned and fully credentialed. Every pupil will have sufficient access to standards-aligned instructional materials. School facilities will be maintained in good repair.</td>
</tr>
<tr>
<td><strong>State Priority #2.</strong> Implementation of California Common Core State Standards and California English Language Development standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</td>
</tr>
<tr>
<td><strong>ANNUAL GOALS TO ACHIEVE PRIORITY #2</strong></td>
</tr>
<tr>
<td>The Charter School will adopt the California Common Core State Standards, and will include how EL students will be enabled to gain academic content knowledge and English language proficiency.</td>
</tr>
</tbody>
</table>
State Priority #3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation

**ANNUAL GOALS TO ACHIEVE PRIORITY #3**

The Charter School will promote parental involvement.

**ACTIONS TO ACHIEVE ANNUAL GOALS**

The Charter School will provide parents with opportunities to get involved, such as Student Led Conferences, volunteer opportunities, membership on the Advisory School Council (ASC), regular family meetings, and school and staff evaluations.

State Priority #4. Pupil achievement, as measured by all of the following, as applicable:

A. Statewide assessments (STAR, or any subsequent assessment as certified by SBE)
B. The Academic Performance Index (API)
C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education
D. Percentage of ELs who make progress toward English language proficiency as measured by the CELDT
E. EL reclassification rate
F. Percentage of pupils who have passed an AP exam with a score of 3 or higher
G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness

**ANNUAL GOALS TO ACHIEVE PRIORITY #4**

The Charter School will provide students with an exceptional education.

**ACTIONS TO ACHIEVE ANNUAL GOALS**

The Charter School will track pupil achievement, as measured above, as applicable, on an annual basis. The data will be used to adapt targets and improve instruction.

State Priority #5. Pupil engagement, as measured by all of the following, as applicable:

A. School attendance rates
B. Chronic absenteeism rates
C. Middle school dropout rates (EC §52052.1(a)(3))
D. High school dropout rates
E. High school graduation rates

**ANNUAL GOALS TO ACHIEVE PRIORITY #5**

The Charter School will cultivate an

**ACTIONS TO ACHIEVE ANNUAL GOALS**

The Charter School will track pupil
environment that promotes pupil engagement.

engagement, as measured above, on an annual basis. The data and information gathered from our annual student survey will also inform school leaders.

**State Priority #6.** School climate, as measured by all of the following, as applicable:
A. Pupil suspension rates
B. Pupil expulsion rates
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

<table>
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<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #6</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
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<tbody>
<tr>
<td>The Charter School will provide a positive school climate.</td>
<td>The Charter School will track the progress of school climate, as measured above. The data and information gathered from our annual student survey will also inform school leaders.</td>
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</tbody>
</table>

**State Priority #7.** The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.

“Broad course of study” includes the following, as applicable:

**Grades 1-6:** English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)

**Grades 7-12:** English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))

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<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #7</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will provide pupils with the opportunity to have access to and enroll in a broad course of study.</td>
<td>Through course offerings and enrichment afterschool, along with access to and scheduling which allows for participation in community college courses, students will be provided with a broad course of study.</td>
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</table>

**State Priority #8.** Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

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<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #8</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will track pupil outcomes in a broad course of study.</td>
<td>The Charter School will track participation in afterschool programs, grades in community college courses, in addition to Aspire course grades. That data will be used to make</td>
</tr>
</tbody>
</table>
MEETING THE NEEDS OF ALL STUDENTS

SUPPORT FOR ENGLISH LEARNERS

**English Learner Instruction**

The Charter School is required to timely identify potential English Learners (ELs) and provide them with an effective English language acquisition program that affords meaningful access to the Charter School's academic core curriculum. Instructional plans for English Learners must be (1) based on sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources; and (3) periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis (on or about October 1), [Charter School] shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School will either adopt and implement LAUSD’s English Learner Master Plan or implement Charter School's own English Learner Master Plan. If Charter School chooses to implement its own EL plan, the instructional plan shall include, but is not limited to, the following:

- How English Learners' needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the Charter School will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services

The Charter School shall provide to the CSD an annual report of its EL program assessment. Upon request, [Charter School] shall provide a copy of its current EL Master Plan to the CSD.

The Charter School shall administer the CELDT annually in accordance with federal and state requirements.

The Charter School shall ensure that it will provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding school matters to the same extent as other parents.

Aspire is committed to the success of its English Learner population, and supports will be offered both within academic classes and in supplemental settings for students who need additional support for English learning. The Charter School will meet all applicable
legal requirements for English Learners ("EL") as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The School has already begun work on the implementing Aspire's English Learners Master Plan through professional development, accountability and analysis of data.

The Charter School's program for English Learners is research-based, supported by budget resources, aligned with the English Language Development Standards and professional development and evaluated regularly for efficiency and needed improvements. The tenants of the program include these guiding principles:

- The priority for instruction is language learning and exploration.
- Using our RTI program, students will be grouped by proficiency level, as determined by multiple sources such as CELDT results, Developmental Reading Assessment, Aspire Writing Assessment and oral language samples.
- Language tasks should be relevant to students and applicable to the real world.
- Provides a systematic method for language instruction based on the ELD standards to address gaps in language proficiency.

Learners who have not yet met the Intermediate level of English acquisition will require a specialized set of supports. These students will have supplemental instruction which focuses on the CCSS-aligned English Language Development Standards. The Imagine It! Curriculum will be the instructional basis for this instruction. Additionally, our youngest students who will simultaneously be learning English while learning to read and write will have extensive oral language experiences to assist in development of both skills.

Common Core English Language Arts

Specific strategies will be used to support English Learners as they tackle the CCSS in Language Arts. The School will provide instruction in units of study to assist students in building vocabulary. Different sources on one topic help build context and accelerate vocabulary acquisition. To support writing, students will be exposed to different types of writing, assignments will be meaningful to the student and assessment will focus on content and not only mechanics. Speaking and listening for English learners will require instructional strategies such as academic discourse, Think-Pair-Share and extensive collaboration. Finally, the School will leverage technology by providing differentiated online books.

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3 Language Demands and Opportunities in Relation to Next Generation Science Standards for ELLs: Helen Quinn, Okhee Lee, and Guadalupe Valdes;
Mathematics, the Common Core, and Language: J. Moschkovich;
Realizing Opportunities for ELLs in the Common Core English Language Arts and Disciplinary Literacy Standards: George Bunch
Amanda Kibler, and Susan Pimentel (the articles can be found here: http://ell.stanford.edu/papers/practice)
Math

During mathematics instruction, the overall focus will be on the mathematical thinking and not the accuracy in language. This oral discourse will take place during Number Talks and Student Led Solutions. Mathematical vocabulary will be taught within the context and not in isolation. Finally, the software used in our blended learning program allows students to manipulate models and hear feedback orally in a differentiated way.

Science

Science instruction will involve extensive models and diagrams. This strategy will allow learners to describe functions and relationships before acquiring the technical vocabulary. Additionally, English Learners will have extensive academic discourse to build their ability to reason orally before moving onto written. Finally, examples of journal, reports and other written assignments along with opportunities to revise language will support learners as they master the Next Generation Science Standards.

Social Studies

Although the California Social Science Standards have not been changed, the School will build the competence of students in anticipation of a rigorous set of expectations aligned with the Common Core State Standards. This preparation includes practice with academic discourse, units of study, extensive use of maps and graphic organizers.

- Home Language Survey

The Charter School will administer the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms). Spanish-speaking students in the country less than twelve months will be given the state’s Designated Primary Language Test (currently the Standards-Based Tests in Spanish) to determine the student’s academic proficiency when tested in his/her home language of Spanish. Students who take the Standards-based Tests in Spanish (STS) are required to also take the Smarter Balanced Assessment Consortium (SBAC) CCSS assessments and/or California Modified Assessment (CMA) appropriate to their grade level.

- CELDT Testing

All students who indicate that their home language is other than English will be California English Language Development Test (“CELDT”) tested or tested with any new English Language Development test adopted by California within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31st.

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\(^4\) The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.
until re-designated as fluent English proficient.

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

Reclassification Procedures

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

- Assessment of English language proficiency using an objective assessment instrument including, the CELDT.

- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s mastery and progress on the California or Common Core Standards.

- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.

- Comparison of the pupil’s performance in basic skills against an empirically established range of performance and basic skills (i.e. performance on the SBAC CCSS assessments and CMA) based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

- The Student Oral Language Observation Matrix may be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Strategies for English Learner Instruction and Intervention

To meet the needs of English learners, Aspire has added a number of bilingual teaching strategies to its core program, including Specially Designed Academic Instruction in English (SDAIE). Specifically, those strategies include:
- realia (real objects and materials)
- manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, storymaps)
- visuals (study-prints, textbook illustrations, overheads-projected prints, reproductions of paintings and documents)
- graphic organizers (matrices, Venn diagrams and webs)
- planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)

Learners who have not yet met the Intermediate level of English acquisition will require a specialized set of supports. These students will have supplemental instruction which focuses on the CCSS-aligned English Language Development Standards. Additionally, our students newest to English who will simultaneously be learning English while learning to read and write will have extensive oral language experiences to assist in development of both skills.

All teachers will be given professional development in teaching English Learners during summer training and one-on-one coaching with instructional coaches in their appropriate content areas, including having the opportunity to participate in Guided Language Acquisition Development (GLAD) training. The newly adopted English Language Development Standards will be mapped to Aspire’s Instructional Guidelines. The mapping of the previous English Language Development Standards to Aspire’s Instructional Guidelines is included in Appendix C. This document will be updated as necessary to align with CA CCSS. Our data portal also includes extensive analysis about our English Learners progress based on the CELDT. This analysis not only provides the teachers and school leaders information to guide instruction and program, but is a key part of our RtI program.

Ongoing Assessment of EL Students
The Charter School’s use of achievement data will also drive the instruction and professional development as it relates to English Learners. All teachers will analyze the SBAC CCSS assessments and Aspire benchmark achievement data by this subgroup at least twice a year, and continue to assess the students through teacher-designed assessments and Aspire’s benchmark assessments. Any students not making progress or mastering standards will be included in the Response to Intervention analysis. Supports may include after school tutoring, time with a reading intervention specialist or in classroom support based on their language needs.

Monitoring and Evaluation of Program Effectiveness
The evaluation for the program effectiveness for ELs in the Charter School will include:

- Adhere to School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
• Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
• Monitoring of student identification and placement.
• Monitoring of parental program choice options.
• Monitoring of availability of adequate resources.
• RFEP students will be monitored through our RtI process that involves monitoring of students on academics and analyzed on variables such as designation. Those needing additional support will receive it through interventions such as READ 180, after school tutoring, during school remediation or classroom based instruction.

SUPPORT FOR ALL STUDENTS

Highly Qualified Teachers

At the center of the educational program are the teachers. The faculty will consist of well-prepared and certified teachers. All core teachers and paraprofessionals will meet the requirements of the Elementary and Secondary Education Act. Professional development and teacher collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Aspire will ensure collaborative planning time for teachers to design student focused curriculum, pedagogy and assessment through which students can make connections, deepen their understanding of concepts and achieve at high levels.

The professional needs of teachers are different every year and for every educator. Teachers receive personalized training through coaching, professional videos on our training site, the Purple Planet and whole staff meetings. These schoolwide trainings take place on Friday afternoons when students are dismissed early. Sample topics of whole staff meetings are listed below:

• Using a lense of equity
• Differentiated instruction
• Writing across the Curriculum
• Meeting the needs of English Learners

In addition, all staff members receive mandatory safety training on child abuse response and prevention, blood-borne pathogen exposure, and sexual harassment. Aspire uses SafeSchools’ comprehensive training program. In addition, Aspire provides the Charter School with resources and guidance about conducting and tracking safety drills, CPR/First-Aid training, and customizing a comprehensive school safety plan.

Personalized Learning Plans

The Charter School will create and maintain a Personalized Learning Plan (PLP) for each student. (See Appendix A) The PLP will provide the teacher, parents and student with a common understanding of the student’s learning style and objectives; all parties may then act based on that understanding. During Student-Led Conferences, the teacher,
parent and student will discuss the student's learning strengths and weaknesses, and set goals for the next semester. By working closely with each student and family to develop an appropriate PLP, the Charter School will be able to respond to the needs of every individual student, including those who are achieving above or below expected levels. This allows all students to receive the appropriate interventions, if needed, provided by the Charter School through its system of instruction and support, including in-school, after-school, specialized classroom instruction, or positive behavior supports. Aspire's high standards for learning, comprehensive interventions, and rigorous caring provided to all students can be personalized in the PLP. In addition to other supports, the PLP guides the Charter School in providing appropriate general education strategies to ensure the progress of students with unique learning needs, including students eligible for Special Education service, others served by 504 plans as required by law, English Learners, Homeless or Foster Youth, and students achieving substantially above or below grade level expectation.

**Support for Academically Low-Achieving Students**

Aspire sets high expectations for all students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the acceptable level may receive a mix of intervention services, including: in-class individual targeted instruction by classroom teachers; in-class small-group guided learning by classroom teachers; before- or after-school instructional support provided by non-classroom educators in a one-on-one setting or in small groups; participation in a specialized support class taught by a literacy specialist or other educator. Instructional materials selected for intervention services are grounded in proven best practices, may be designed by the educator, or may be a research-based program such as READ 180.

Students targeted for additional instructional support or intervention will include, but are not limited to, students who, through universal screening or other assessment, meet the following criteria:

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Criteria For Additional Intervention</th>
</tr>
</thead>
<tbody>
<tr>
<td>SBAC CCSSCCSS assessments, CMA, California Alternative Performance Assessment (CAPA) or STS, CA CCSS Assessment – ELA or Math</td>
<td>Far Below Basic, Below Basic, Basic</td>
</tr>
<tr>
<td>DRA</td>
<td>Not at grade level</td>
</tr>
<tr>
<td>Parent Recommendation</td>
<td>Any</td>
</tr>
<tr>
<td>Teacher Recommendation</td>
<td>Any</td>
</tr>
</tbody>
</table>

Aspire utilizes the Response to Intervention framework (RtI) of tiered intervention to ensure that students below grade level, or students achieving below expected levels of performance, receive additional instruction or intervention to ensure progress towards expected levels. Through the systematic RtI process, schools are universal in assessing
students’ academic, behavioral and socio-emotional development needs, and proactive in providing students with appropriate timely, targeted and effective research-based interventions such as classroom differentiation, specific interventions. Systematic progress monitoring of results of instruction or intervention guides decision-making about the intervention’s success and additional services, including special education services. Off-the-shelf programs such as READ 180 or Seeing Stars are all vetted for research-based effectiveness before using with students.

Aspire strives to offer a comprehensive approach to assessing, supporting and monitoring the progress of all students towards grade level and College Readiness outcomes. The RtI framework encourages an inclusive, flexible learning environment, encompassing and extending Aspire’s data driven, student-focused approach to instruction. Aspire educators are encouraged to deepen coordination of instruction across all learning environments, including our grade level or core classrooms, intervention programs, specialized educational services and non-academic services. The RtI team, an intervention teacher, an educational specialist and classroom teachers, meet on a monthly basis to monitor the progress of students and identify needed interventions. Students will receive Tier 2 interventions until they make progress.

SUPPORT FOR ACADEMICALLY HIGH-ACHIEVING STUDENTS

Because Aspire’s Instructional Guidelines are designed to differentiate and individualize instruction for students at different levels, students achieving above grade level can be effectively served at the Charter School. For instance, the instruction during language arts allows students to be reading at their own instructional level. One student reading at grade level can sit next to another student doing the same activity at three grade levels higher. Specific instructional strategies include high level questioning, academic discourse, self-monitoring and Socratic seminars. Small class sizes and looping also aid in differentiation of instruction because classroom teachers understand each individual student’s needs. The variety of instructional techniques and materials provided in Aspire’s program are cited as important features by the National Association for Gifted Children in the Gifted Educational Program Standards. Finally, any student achieving above grade level can be accelerated to a higher grade level at the discretion of the parent and principal.

Students in grades 9-12 achieving above grade level may also have the opportunity to take additional college courses and access internship opportunities commensurate with their skills and abilities.

STUDENTS WITH DISABILITIES

Overview

FEDERAL LAW COMPLIANCE
Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of

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5 Gifted Education Program Standards, National Association for Gifted Children.

The Charter School will be its own local educational agency ("LEA") and will apply directly for membership in a Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a). The Charter School is a member in good standing of the El Dorado County Charter SELPA.

In the event the Charter School seeks membership in a different state-approved SELPA, the Charter School will provide notice to the District, the SELPA, and the California Department of Education before June 30th of the year before services are to commence.

The Charter School may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. The Charter School may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

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

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.

- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect
the student’s aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student’s impaired sensory, manual or speaking skills.

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

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

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

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

More details around Aspire’s 504 procedures and Enrollment Steps are attached in Appendix D.

**SPECIAL EDUCATION PROGRAM**

All LAUSD-authorized charter schools must adhere to all terms and conditions of the Chanda Smith Modified Consent Decree (“MCD”) and any other court orders and/or consent decrees imposed upon the LAUSD as they pertain to special education. Charter schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school’s inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

Prior to LAUSD Board of Education approval, the Charter School will execute a Memorandum of Understanding (“MOU”) by and between LAUSD and the Charter School regarding the provision and funding of special education services consistent with the requirements of the LAUSD Special Education Local Plan Area ("SELP A") Local Plan for Special Education.
SELPA REORGANIZATION

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code § 56195.1(a) and intends to continue operating as a single-District SELPA as in the current structure but has created two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year. The Charter School may continue as a member in the El Dorado County Charter SELPA or it may apply for one of the three options available under the LAUSD SELPA, in its discretion.

Aspire is a California non-profit charter management organization which operates 34 schools throughout the State of California, including but not limited to those located in the geographic area of the District, 27 of which operate under the auspices of a out-of-geographic area SELPA pursuant to the provisions of the CA Education Code. Unless operated pursuant to the District-operated Program as set forth above, the Aspire school subject to this petition may maintain LEA status and exercise all rights thereto including but not limited to participation in the El Dorado County Charter SELPA or other out of geographic area SELPA, or it may apply for membership in the Charter-operated Program as set forth above. If it applies for membership in the Charter-operated Program, it will not have a LEA status but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools may apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs. If it does not apply for membership, it shall continue as a school within the El Dorado County Charter SELPA.

MODIFIED CONSENT DEGREE REQUIREMENTS

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of the Chanda Smith Modified Consent Decree ("MCD") and other court orders imposed upon the District pertaining to special education. The MCD is a consent decree entered in a federal court class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court-appointed independent monitor. The MCD includes nineteen statistically measureable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All charter schools are required to use the District's Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online Individualized Education Programs ("IEPs") and tracking of related services provided to students during the course of their education.
As part of fulfilling the District’s obligations under the MCD, student level data requests from District-operated and Charter-operated schools are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor’s required format and are as follows:

- **End of Year Suspension.**
  
  District ID, CSIS ID, last name, first name, date of birth, gender, grade, date of suspension, number of days suspended, and reason for suspension.

- **STAR – Preliminary and Final. The usual file including District ID.**

- **Norm day – 2013**
  
  District ID, CSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

- **CBEDS – 2013**

- **All Students enrolled December 1, 2013.**
  
  District ID, CSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

- **Dropout 2012-13**
  
  District ID, CSIS ID, last name, first name, middle name, date of birth, grade, last location, school name and local district

- **Monthly SESAC and Suspension data from non-SIS schools**

- **Graduation roster from all LAUSD schools with 12th grade SWD**

The MCD requires charter schools to implement the District’s Integrated Student Information System (ISIS) which is now referred to as My Integrated Student Information System (MiSiS). MiSiS is a suite of applications which is designed to capture all District student data.

**Services for Students with Disabilities**

In accordance with state and federal law, each student eligible under IDEA will be provided a free appropriate education in the least restrictive environment. No student shall be denied admission to the Charter School because he or she is in need of special education services. Aspire is dedicated to ensuring that identified special education students shall be enrolled in the general education classroom setting along with their non-disabled peers and shall have access to participate in extra-curricular activities the same as their non-disabled peers.
Aspire's education program is characterized by inclusive systems which will support students with special education needs. The decisions regarding specialized academic services each student will receive are the responsibility of the Individualized Education Team, which includes the involvement of parents in decision-making and developing the written Individualized Education Plan (IEP).

In the IEP process, general education teachers, specialists, students, and parents work together to share information and create the Individualized Education Plan that addresses the student's unique learning needs and specific requirements related to a student's disability. The IEP may include specialized academic instruction, classroom accommodations for a student or specific supports which will enable a student to progress towards learning or behavioral goals in the least restrictive environment.

The professional development of all Aspire teachers focuses on differentiating the curriculum, employing varied instructional strategies, and utilizing technologies or other resources to ensure that each and every child in the classroom has access to learning, regardless of disability or need. Multiple measures assess student’s progress towards their IEP goals, grade level outcomes based on the CA CCSS, or Aspire College Readiness outcomes.

Aspire is charged with ensuring that all students, including students with disabilities, are progressing towards grade level mastery of California Content and California Common Core State Standards and will attain College Readiness. Post-Secondary Transition planning assessments and activities will be aligned with the Charter School's College Guidance activities to ensure successful transition to college, other continued learning, as well as to develop the life and job skills that will lead to meaningful work and independence.

Aspire's educational program includes systems of intervention, including After School Program, as well as differentiated instructional strategies to meet the diverse learning needs of all students. All incoming students participate in assessments in the areas of English Language Arts and Mathematics to assist in identification of student learning needs and provision of appropriate instructional supports for all students, including EL, Disadvantaged, 504, or IEP. Other measures used to assist with creating teacher interventions or differentiating instruction for all students include:

- SBAC CCSS assessments
- Smarter Balance Consortium assessments
- California Modified Assessment (CMA)
- CAHSEE
- California Alternate Performance Assessment (CAPA)
• CELDT

• Curriculum-based Benchmark Assessments

• Teacher observation and interview

The identification process for students who would be eligible for special education services under IDEA begins when students have been accepted through the enrollment lottery and enrolled in the Charter School. Through the process of “Child Find”, each school fulfills the obligation of locating, evaluating, and identifying children with disabilities who may be in need of special education. The Student Success Team serves parents, students and staff to address student needs and to initiate the referral process, if appropriate, for special education or other services.

Specialized Academic Instruction will be provided by the Education Specialist (Mild/Moderate or Moderate/Severe) as determined in an eligible student’s Individualized Education Program. Co-Teaching models ensure the integration of supports and services within the general education setting. To support inclusive classroom practices, flexible learning options or environments, such as a Learning Center, will be provided as needed for students with specific accommodations or modifications to their learning program as included in their individual IEP. Learning Centers will also provide the structured setting as required for some students in the IEP and will ensure provision of a continuum of services, including students with moderate/severe disabilities. These options may also serve general education students with intensive academic or behavioral support needs as determined through the Charter School’s RtI system.

LEA Member in EDCOE Charter SELPA

The Charter School shall participate as an LEA member of the El Dorado County Office of Education Charter SELPA for the purposes of special education.

Unless operated pursuant to a District-operated Program as set forth above, or unless operated pursuant to membership in the Charter-operated Program of the SELPA as set forth above the LEA, the Charter School shall assume full responsibility for the provision of special education and related services to eligible students as an LEA member of the El Dorado County Office of Education Charter SELPA (EDCOE Charter SELPA). Proof of membership status is attached in Appendix E. As such, State and Federal funding shall be allocated directly to the Charter School per the allocation plan of the EDCOE Charter SELPA. The Charter School shall assume responsibility for the general education contribution which may be necessary for the provision of special education services to identified students and shall meet the annual Maintenance of Effort Requirement.

LEA Assurances
As required of LEA members within the EDCOE Charter SELPA, the Charter School provides the following assurances:

- **Free Appropriate Public Education (FAPE)** - The Charter School will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.

- **Child Find** - The Charter School will assure that all students with disabilities are identified.

- **Full Educational Opportunity** - The Charter School will assure that all students with disabilities have access to the full range of programs available to non-disabled students.

- **Least Restrictive Environment (LRE)** - The Charter School will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids, supports and services in the general education environment.

- **Individualized Education Program (IEP)** - The Charter School will assure that an Individualized Education Plan is developed, reviewed and revised for each child who is eligible.

- **Assessments** - The Charter School will assure that an IEP review shall be conducted on an annual basis at a minimum. In addition, a reassessment shall be conducted at least once every three years and more often if conditions warrant or if requested by the student’s parents or teacher, to determine continued eligibility and needs.

- **Confidentiality and Procedural Safeguards** - The Charter School will assure that the confidentiality of identifiable data shall be protected at collection, storage, disclosure and destruction. In addition, students and their parents shall be provided with safeguards through the identification, evaluation and placement process and provisions for a Free Appropriate Public Education.

- **Personnel Standards** - The Charter School will assure that good faith efforts will be made to attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to eligible children with disabilities.

- **State Assessments** - The Charter School will assure that students with disabilities are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate.
The Charter School shall comply with all requirements of the Federal Individuals with Disabilities in Education Act (IDEA), State laws and the EDCOE Charter SELPA Local Plan, and perform all corrective actions deemed necessary by Aspire Public Schools, the EDCOE Charter SELPA and or CDE. The Aspire Director of Special Education will involve the school team in the development of the budget, hiring necessary staff, contracting for appropriate services and documenting the qualifications and competency of school leadership to meet the special education compliance and quality requirements. A Program Specialist shall be assigned to support the Charter School and to provide coaching support to the site special education to ensure that all requirements of IDEA are met, and each child is well served. In addition, the Charter School will adhere to the terms, conditions and requirements of the MCD and other court orders imposed upon District pertaining to special education.

A comprehensive year-long Aspire Special Education Professional Development plan shall be developed with site team input to provide continuous learning opportunities and support to special education staff, as well as to build the capacity of the site team in meeting compliance with state and federal statutes, reporting requirements and use of instructional data for decision-making. In addition to Induction Program for Education Specialist Credential, professional development will be provided about promising practices that support the specialized learning needs of special education students in the least restrictive environment, including: universal design for learning, models of collaboration and the unique specialized earning needs of the secondary learner. Each staff member’s Professional Learning Plan (PLP) will reflect our Aspire shared responsibility for student progress and site special education needs, as well as differentiated opportunities to address each staff individual professional development needs. Professional development opportunities will include those offered in collaboration with other Aspire schools, the Charter SELPA, or Diagnostic Center.

**A Typical Day**

At 7:50, you arrive at your school. You immediately go meet with your physics teacher to get some help on a difficult problem on last night’s homework. Once you have gotten your answer, you leave to go kick the soccer ball around before school begins.

At 8:20 am, the bell rings and it is time for the all-school morning assembly. You immediately line up with your advisory classmates. Your principal introduces an Aspire alumni who now attends UCLA. You listen while he gives a quick summary of what you need to do to succeed in college. You begin thinking about what classes you’ll take at the community college next semester to strengthen your college application. As you walk into
the school, your advisory teacher shakes your hand and reminds you to get ready to work hard and get smart.

As you arrive in your first class at 8:30, you are happy to see a math “Do Now” on the white board. You immediately begin solving the review problem and the word problem while the teacher collects homework and takes attendance. After you finish, you review the College Objectives on the board to see what you will be learning today to help you succeed in college.

It is time for your favorite subject – algebra. After reviewing the Do Now from the morning, the teacher puts an equation on the board and has every partner group convert it to a graph. Your group has worked together before, so there is not much disagreement. When the group gets stuck, the teacher comes over and completes a similar problem on the white board. The group then solves the problem and comes out with the same answer. Each group justifies its answer. The double block of learning time allows you and your classmates to wrestle with learning topics before the teacher tells you what to do. Problem-solving, group thinking exercises and discovery based learning are essential aspects to your day.

At 10:30, you go to your second class of the day - Spanish 1. After some quick practice with the teacher on subject-verb agreement, you then work quickly through your independent practice. After you have checked your answers, you pull out your writing folder and start working on your research paper in Spanish. When you get stuck on how to organize your notes, you sign up for a conference with the teacher.

During lunch, you eat lunch with your friends and head off to Service Club, one of the many activities and organizations offered to students at Ollin. The group decides on the next community service project to complete.

Immediately after lunch, you go to your advisory class. You've been working with your advisor and the other students in the class for three years now- it's like a family. In advisory you might spend time on learning more about college and how to prepare for it, checking in on how you are doing in classes, discussing issues related to growing up or bonding and making relationships with your advisory group. This week, everyone is planning their course requests for next year - it's nice to have plan this with your advisor who knows your strengths and areas for growth.

Your English Language Arts class starts at 1:30pm. You move to class and immediately meet with your study group of students who are reading the same leveled book as you, *The Crucible*. Today the teacher is asking for evidence that the main character made the right decision. You scour the text and politely disagree with someone in your group as your quote contradicts her opinion. Once you have received your next assignment, you move onto the computers. You sign in and continue working on a small research paper online. You scroll through a number of online references as you look for reliable sources and learn how to properly cite a website. At 2:20pm, you begin your one-on-one conference meeting with your English teacher. Her help in organizing your notes and pointing for specific places to include evidence is helpful.
At 3:15pm, you pack up your backpack and walk to the extended learning program for some extra help in physics. After eating a snack, you begin working with your tutor. When you both get stuck, you get permission to walk back to your classroom and ask the teacher.

At 5:00, you head home to finish up any remaining homework, enjoy some family time and get a good night's sleep to be prepared for the next school day when you'll have the remaining classes in your schedule - Physics, Technology and Composition.
Element 2: Measurable Pupil Outcomes

Element 3: Method by which Pupil Progress Toward Outcomes will be Measured

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.

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

An Aspire education provides students with access to opportunities for success in future endeavors – in higher education, work, and citizenship. Through personalized learning experiences, students master basic skills, acquire the thinking skills needed for the rigorous work of the real world, and develop productive life skills. Aspire's educational program is designed to help all of its students to develop the following measurable pupil outcomes:

To establish a foundation for success, Aspire ensures students will:

- **Basic Skills**: Master at least grade level competency in the four core subjects: mathematics, science, social studies, and language arts (including reading, writing, listening and speaking);

- **Thinking Skills**: Be able to apply classroom learning to their real world experiences in a relevant and valuable way, using higher-order thinking skills (including critical thinking, creativity, decision-making, problem solving, reasoning, knowing how to learn); and

- **Life Skills**: Have developed personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.

Aspire sets high standards for all students, based on CA CCSS, Newmann's Standards for Authentic Instruction and Assessment⁶, and the Secretary's Commission on Achieving Necessary Skills (SCANS)⁷. In addition, each student has a Personal Learning Plan (PLP), developed in collaboration with his/her teacher and parent(s) that outlines the student's specific learning goals each semester. Students will participate in the legally

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⁷ Based on important workplace skills as determined by the U.S. Department of Labor Secretary's Commission on Achieving Necessary Skills (SCANS), Learning a Living: A Blueprint for High Performance. April, 1992.
required statewide assessments pursuant to Education Code Section 47605(c). Through these assessments, Aspire shall demonstrate student mastery of state standards.

The method by which pupil progress in meeting those pupil outcomes is to be measured.
To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

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

Aspire’s academic program is standards-based and data driven. The California state content and performance standards, the CA Common Core State Standards, and multiple sources of data form the basis of the Charter School’s teachings. Performance assessments will be evaluated with the use of common benchmarks and rubrics and will be analyzed on a regular basis to help drive the Charter School’s educational program. The rubrics will be used to inform students and parents about the standards for student work. Both teachers and students will use the rubric to score the work and make improvements. Rubrics used throughout the year will show growth over time.

The Charter School commits to pursuing the following pupil outcomes:

OUTCOMES AND METHODS OF MEASUREMENT ALIGNED TO STATE PRIORITIES

<table>
<thead>
<tr>
<th>CHARTER SCHOOL OUTCOMES ALIGNED TO STATE PRIORITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State Priority #1.</strong> The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #1</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School’s teachers will be appropriately assigned and fully credentialed. Every pupil will have sufficient access to standards-aligned instructional materials. School facilities will be maintained in good repair.</td>
<td>Aspire’s credentials team will evaluate whether all the Charter School’s teachers are appropriately assigned and fully credentialed, and will take action if they are not. The Charter School will report on whether every pupil will have sufficient access to standards-aligned instructional materials. On an ongoing basis, facility maintenance needs will be prioritized.</td>
<td>100% of teachers will be highly qualified per No Child Left Behind Act. 100% of students will have access to standards aligned materials as measured by school inventory. This applies schoolwide and for all subgroups. 100% of school facilities will be maintained in good repair.</td>
</tr>
<tr>
<td>Annual Goals to Achieve Priority #2</td>
<td>Actions to Achieve Annual Goals</td>
<td>Measurable Outcomes and Methods of Measurement</td>
</tr>
<tr>
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<tr>
<td>The Charter School will adopt the California Common Core State Standards and California English Language Development standards, and will include how EL students will be enabled to gain academic content knowledge and English language proficiency.</td>
<td>Aspire will proceed with its California Common Core State Standards implementation plan, which includes revising curriculum, professional development, and assessments to align with the California Common Core State Standards. Specialized professional development will be provided to teachers to differentiate for the needs of English Learners.</td>
<td>100% of teachers will attend professional development annually on California Common Core State Standards including specialized segments for teaching English Learners and will teach the California English Language Development standards.</td>
</tr>
</tbody>
</table>

**State Priority #3.** Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation

<table>
<thead>
<tr>
<th>Annual Goals to Achieve Priority #3</th>
<th>Actions to Achieve Annual Goals</th>
<th>Measurable Outcomes and Methods of Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will promote parental involvement.</td>
<td>The Charter School will provide parents with opportunities to get involved, such as Student Led Conferences, volunteer opportunities, membership on the Advisory School Council (ASC), regular family meetings, and school and staff evaluations.</td>
<td>90% of families will state that they are satisfied or very satisfied with their experience at the Charter School via the family survey distributed annually.</td>
</tr>
</tbody>
</table>

**State Priority #4.** Pupil achievement, as measured by all of the following, as applicable:

A. Statewide assessments (SBAC CCSS or any subsequent assessment as certified by SBE)

B. The Academic Performance Index (API) (or any subsequent measure of academic performance as certified by SBE)

C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education

D. Percentage of ELs who make progress toward English language proficiency as measured
by the CELDT
E. EL reclassification rate
F. Percentage of pupils who have passed an AP exam with a score of 3 or higher
G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness

<table>
<thead>
<tr>
<th>Annual Goals to Achieve Priority #4</th>
<th>Actions to Achieve Annual Goals</th>
<th>Measurable Outcomes and Methods of Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will provide students with an exceptional education.</td>
<td>Statewide assessments (STAR, or any subsequent assessment as certified by SBE)</td>
<td>Baseline 2014-2015 year 5% increase each year on students scoring proficient schoolwide and for each subgroup (or an aggregate of 26 percentage points over 5 years) until we reach 80% P/A is reached Baseline 2014-2015 TBD beyond based on the structure of the API</td>
</tr>
<tr>
<td>The Academic Performance Index (API) (or any subsequent measure of academic performance as certified by SBE)</td>
<td>Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</td>
<td>100% each year schoolwide and for each subgroup</td>
</tr>
<tr>
<td>Percentage of ELs who make progress toward English language proficiency as measured by the CELDT</td>
<td>A. EL reclassification rate</td>
<td>42% 14-15 school year 47% 15-16 school year 52% 16-17 school year 55% 17-18 school year 60% 18-19 school year</td>
</tr>
</tbody>
</table>
Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness

The School program includes community college classes and not AP classes.

- 14-15 school year – N/A
- 15-16 school year – baseline
- 16-17 school year – increase 5%
- 17-18 school year – increase 5%
- 18-19 school year – increase 5%

**State Priority #5.** Pupil engagement, as measured by all of the following, as applicable:

A. School attendance rates
B. Chronic absenteeism rates
C. Middle school dropout rates (EC §52052.1(a)(3))
D. High school dropout rates
E. High school graduation rates

<table>
<thead>
<tr>
<th><strong>ANNUAL GOALS TO ACHIEVE PRIORITY #5</strong></th>
<th><strong>ACTIONS TO ACHIEVE ANNUAL GOALS</strong></th>
<th><strong>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</strong></th>
</tr>
</thead>
</table>
| The Charter School will cultivate an environment that promotes pupil engagement. | The Charter School will track pupil engagement, as measured above, on an annual basis. The data and information gathered from our annual student survey will also inform school leaders. | A. School attendance rates:
Target is 95% attendance rate

B. Chronic absenteeism rates:
Reduce the % of students classified as chronic absentee by 1% a year until under 3% of population

C. Middle school dropout rates (EC §52052.1(a)(3)):
Goal is 0%

D. High school dropout rates:
The Charter School will provide a positive school climate and comply with the principals of the Discipline Foundation Policy.

The Charter School will track the progress of school climate, as measured above. The data and information gathered from our annual student survey will also inform school leaders.

### State Priority #6
School climate, as measured by all of the following, as applicable:

A. Pupil suspension rates
B. Pupil expulsion rates
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

### Annual Goals to Achieve Priority #6

### Actions to Achieve Annual Goals

### Measurable Outcomes and Methods of Measurement

<table>
<thead>
<tr>
<th>A. Pupil suspension rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduce suspension rate by 25% each year, with end goal of school-wide suspension rates below 5%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Pupil expulsion rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target is zero expulsions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;80% of families will agree or strongly agree that students feel supported, respected, and that there is</td>
</tr>
</tbody>
</table>
State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.

“Broad course of study” includes the following, as applicable:
Grades 6-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #7</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will provide pupils with the opportunity to have access to and enroll in a broad course of study.</td>
<td>Through course offerings and enrichment afterschool, along with access to and scheduling which allows for participation in community college courses, students will be provided with a broad course of study.</td>
<td>Director of Secondary to annually review course offerings to ensure broad course of study is available.</td>
</tr>
</tbody>
</table>

State Priority #8. Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #8</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will track pupil outcomes in a broad course of study.</td>
<td>The Charter School will track participation in afterschool programs, grades in community college courses, in addition to Aspire course grades. That data will be used to make changes to course offerings and enrichment opportunities as necessary.</td>
<td>80% of students receive a C or better in all courses. (5 percentage point increase annually until target is met)</td>
</tr>
</tbody>
</table>
COLLECTING, ANALYZING, AND REPORTING DATA

Aspire will collect and analyze data on student achievement on a regular basis and will provide student achievement data to staff, parents and guardians, and the District:

- Staff will receive data on student achievement during staff meetings using the Data Portal and will use this data to help monitor and improve Aspire’s education program;

- The Principal and other administrators will receive data on the Charter School’s student achievement, attendance, and discipline using Aspire’s Admin Data Portal and Principal Operational Dashboard;

- Parents and guardians will receive data on student achievement when they meet with their child’s teacher to develop, modify, or review their child’s PLP; and

- The District will receive data on student achievement through School reports and/or presentations.

Aspire uses the State Standardized Testing Data and Reports to assist in identifying strengths and weaknesses at a student, classroom, grade level, school and organization. Additionally, the California Physical Fitness test will be administered and used to inform the school program. Every summer each school will have a staff retreat where the data will be analyzed. School wide plans for professional development will be based on these plans.

Aspire uses many in-house assessments which inform daily instruction. Three Aspire assessments provide the best benchmarks of a student’s progress towards reaching the state standards.

Reading Assessment

In grades K-8, the Developmental Reading Assessment (DRA) is used to benchmark students reading achievement at least three times a year. This assessment tool measures students’ independent reading level and instructional path to help teachers guide students to the next reading level. It not only allows a teacher to listen for decoding, fluency and strategies, it also allows a teacher to measure comprehension. The DRA levels span from 1 to 70 to show incremental reading growth. Aspire has set benchmarks for every grade level. Each teacher has similar weekly assessments that she/he uses in the classroom for instruction.

Aspire Writing Assessment

Two times a year every student in the Charter School takes a writing assessment. The prompts change and are aligned with the genres specific to the CA CCSS grade level standards. The papers are scored with other Aspire staff including teachers and
instructional coaches to ensure validity of scores. The rubric for scoring is aligned with the writing rubric used by the state, as well as the sample papers provided in the CA CCSS standards. Benchmarks are set for every grade level. These scores are analyzed two times a year.

**Aspire Math Assessment**

Every student takes an Aspire math assessment based on the specific grade level standards. The assessments include both computation and a problem solving section. The computation is scored with Edusoft software. The problem solving is scored with Aspire teachers. A task analysis is done of every paper, so that teachers can identify standards that need to be re-taught. After every administration of the benchmark exams, the student data is analyzed at several levels – classroom, grade level, school and Aspire-wide.

If any student is not making sufficient progress to meet the benchmarks created by Aspire, teachers, parents or administrators begin a Student Success Team. From this meeting an action plan is created to support the student.

Annually, the status of the Charter School will be reported using a School Health Dashboard. This tool allows Aspire’s Senior Leadership Team to evaluate a school on more than one facet. At the beginning of the year, the dashboard will help the Senior Leadership Team identify schools that require more focused attention and support. On an on-going basis, this dashboard will also be used to monitor progress of schools on a monthly basis. Specifically, the dashboard reports on:

- Student achievement: Academic Performance Index\(^8\), course grades, behavior, and internal benchmark scores;
- Affiliation: results on the staff, parent, and student surveys, teacher retention; and
- Financial: actual versus budget and forecast; average daily attendance.

**Measurable Goals of the Educational Program**


Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

**Standardized Testing**

\(^8\) Until the state creates a new Academic Performance Index based on the CCSS assessments, the School will use the % of students proficient as a benchmark for progress.

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
Charter School agrees to comply with and adhere to the State requirements for participation and administration of all state mandated tests. If Charter School does not test with the District, Charter School hereby grants authority to the state of California to provide a copy of all test results directly to the District as well as Charter School.

Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

External Reporting

Aspire maintains sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies.

Grading, Progress Reporting, and Promotion/Retention

- Grading Policy:

  Students earn grades based on established performance levels as described in the below table. In pursuit of our college for certain mission, students do not earn high school credits for any course in which they receive less than a C-.

  When grades are given for any course of instruction, the grade given to each student shall be the grade determined by the teacher of record for the course, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetence the grade shall be final (Education Code 49066a).

  Teachers may make changes to grades until they have been stored in PowerSchool. After grades are stored, teachers are prohibited from changing grades without securing the approval of the school site principal, the Area Superintendent, and the Director of Secondary. All grade changes will be documented in student’s cumulative folder using the official Aspire “Grade Change” form and requests for changes will only be accepted for 21 school days after the official close of the marking period. Teachers wishing to change a student’s grade after grades have been stored should apply the following criteria:

  - The student had extenuating circumstances that prohibited the student from completing the course on time (example: automobile accident, serious illness).
  - The student did not receive adequate materials to complete the course (example: textbook)
- The grade should not be changed if the student made little or no effort to complete the assignments or solicit support during the time span of the course.
- The school should present available options for making up the core course to the student that has failed a graduation requirement: repeating the course, enrolling in a college class, summer school or an online course.

<table>
<thead>
<tr>
<th>Grade</th>
<th>SIS Cutoff Value</th>
<th>4.0 Point Scale Unweighted</th>
<th>5.0 Point Scale Weighted</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+</td>
<td>97</td>
<td>4.00</td>
<td>5.00</td>
<td>Demonstrates exceptional progress in meeting content standards at his or her grade level and acquiring the knowledge, skills, and habits on assignments, class participation, projects, and tests to be ready to take high school college preparatory courses in that subject.</td>
</tr>
<tr>
<td>A</td>
<td>93</td>
<td>4.00</td>
<td>5.00</td>
<td>Produces notably superior work and receives consistently high marks on class tests.</td>
</tr>
<tr>
<td>A-</td>
<td>90</td>
<td>3.70</td>
<td>4.70</td>
<td>Demonstrates creativity and originality.</td>
</tr>
<tr>
<td>B+</td>
<td>87</td>
<td>3.30</td>
<td>4.30</td>
<td>Masters fundamentals thoroughly, and does above average daily work; receives consistently above-average marks on class tests.</td>
</tr>
<tr>
<td>B</td>
<td>83</td>
<td>3.00</td>
<td>4.00</td>
<td>Does some independent work, showing initiative and originality.</td>
</tr>
<tr>
<td>B-</td>
<td>80</td>
<td>2.70</td>
<td>3.70</td>
<td>Shows active, alert role of follower, and shows some leadership in learning activities.</td>
</tr>
<tr>
<td>C+</td>
<td>77</td>
<td>2.30</td>
<td>3.30</td>
<td>Shows satisfactory grasp of fundamentals and receives consistently average marks on class tests.</td>
</tr>
<tr>
<td>C</td>
<td>73</td>
<td>2.00</td>
<td>3.00</td>
<td>Shows average ability to learn and apply facts, principles, and skills.</td>
</tr>
<tr>
<td>C-</td>
<td>70</td>
<td>1.70</td>
<td>2.70</td>
<td>Shows average ability in critical thinking, and some originality.</td>
</tr>
<tr>
<td>D+</td>
<td>67</td>
<td></td>
<td></td>
<td>- The student demonstrates inconsistent progress in meeting content standards at his or her grade level and acquiring the knowledge, skills, and habits on assignments, class participation, projects, and tests to be ready to take high school college preparatory courses in that subject.</td>
</tr>
<tr>
<td>D</td>
<td>63</td>
<td></td>
<td></td>
<td>- Shows below average growth in understanding of the subject.</td>
</tr>
</tbody>
</table>

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
- Type and Frequency of Progress Reporting:

Formal progress reports are sent home four times a year: quarter 1, semester 1, quarter 3 and quarter 4. In addition, the Charter School uses PowerSchool which has a web portal that allows parents and students to access grades on a daily basis. Information regarding how to use this portal is given at parent meetings, through communication home and during parent-teacher conferences. In addition, every 2 weeks, advisory classes send home informal progress reports which are signed and returned to advisors to ensure that parents are aware of student standing.

- Promotion/Retention Policy and Procedures:

**Retention Policy**: Students not meeting the following criteria will be recommended for retention in their current grade based on their proficiency in core subjects in accordance with State Board of Education (SBE) requirements:

Students that fail to achieve the minimal level of proficiency (PROFICIENT) in accordance with SBE Section 60648 on the CAT6 (California Achievement Test, version 6) and/or CST (California Standards Test) in Mathematics or Reading and Language Arts (or equivalent on future required state tests)

(or)

Any student who is more than one year behind grade level (as determined by a Far Below Basic or Below Basic score on the child’s report card) in Mathematics or Reading and Language Arts (or equivalent on future required state tests).

An identified student that is performing below the minimum standard for promotion shall be retained in their current grade unless the student’s teacher determines in writing that retention is not the appropriate intervention for the student’s academic deficiencies. The teacher’s recommendation to promote is contingent upon a detailed plan to correct deficiencies.

**Procedures for Retention**

The following steps will take place prior to a student being retained:

1. Letter to parents informing the parents that their child is at risk of retention.
2. The teacher’s evaluation shall be provided to and discussed with the student’s parents or guardian and the principal before any final determination of pupil retention. The parents are informed at that meeting that their child is
recommended for retention. This meeting is documented with an academic support plan signed by both the teacher and parent.

3. Upon the acceptance or rejection of the above stated reports by the principal, a letter shall be sent within five school days to formally inform the student’s parents or guardian of the principal’s decision regarding the retention.

4. The parents or guardians shall have the right to appeal the decision to retain to the Chief Academic Officer of Aspire Public Schools. If the decision of the Chief Academic Officer is not in agreement with the parents/guardians, the parents have the right to appeal directly to the Aspire Public Schools Chief Executive Officer.
Element 4: Governance

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

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

Aspire Public Schools Board of Directors

The Charter School is an independent charter school governed by the Aspire Board of Directors. The biographies of the current Aspire Board of Directors are attached in TAB 8. Aspire is a California, nonprofit, public benefit corporation. Proof of Aspire’s tax exempt status is attached in Appendix F.

As an independent charter school, the Charter School, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Charter School.

The Charter School will comply with the Brown Act and the Public Records Act.

Aspire is governed by the Aspire Public Schools Board of Directors in accordance with California’s Charter Schools Act and the Nonprofit Public Benefit Corporation Law. The Charter School will be governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. Copies of the current Aspire Board’s articles of incorporation, by-laws, and conflicts code are attached in TABS 6b., 6c., and 6d but not incorporated herein by reference.

All employees and representatives of Charter School, including members of Aspire’s governing board, members of school or governing board committees or councils, school administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD’s charter school policies, regarding ethics and conflicts of interest.

The Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter.

The Charter School shall post all governing board meeting minutes and bylaws on the Charter School’s public website (http://aspirepublicschools.org/about/accountability/), in accordance with the Brown Act.

Aspire complies with all applicable federal, state and local laws applicable to its operation. It will retain its own legal counsel when necessary. It will purchase and maintain as necessary general liability, property, workers’ compensation and unemployment insurance policies.

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
The Aspire Board of Directors currently consists of a maximum of 11 regular members plus one seat for every sponsoring authority. The District reserves the right to appoint a single representative to the Aspire Board of Directors pursuant to Education Code section 47604(b). The Board of Directors is responsible for establishing broad policies that affect all Aspire schools. For example, the Board of Directors and its Executive Committee may set policies related to staff hiring, benefits and compensation, conditions for student suspension or expulsion, controversial issues that affect more than one school site and teacher, and principal and staff compensation criteria. Members of the Board may also participate in raising funds and increasing public awareness of Aspire’s work.

The Board is also responsible for monitoring the programmatic, operational and financial health of all Aspire schools and the organization collectively in order to identify and highlight risks and guide efforts to mitigate those risks.

Aspire takes a conscientious approach to recruiting and selecting new Board members. Aspire’s Board and CEO conduct extensive due diligence to ensure that new Board members are a strong cultural fit with the organization, will add value in specific areas and, most importantly, contribute to Aspire’s growth and success.

The recruitment, evaluation and selection of new Board members typically are conducted through the following six-step process.

**Step 1:** Solicit nominations and compile names
**Step 2:** Initial meeting with nominating Board member
**Step 3:** Nominator reports back to the Board
**Step 4:** Prospective member meets with CEO, other Board members and staff
**Step 5:** Visit schools and attend Board meeting(s)
**Step 6:** Final meeting with CEO or nominator

Once a candidate completes this process a decision will be issued by the Board based on a majority vote. The term of any Board member shall not exceed six years. All Board meetings are noticed and held in compliance with the provisions of the Brown Act. A majority of the directors then in office constitutes a quorum. All acts or decisions of the Board are by majority vote based upon the presence of the quorum. Participation through teleconference is permitted and in accordance with the Brown Act.

At a high level, there are three broad categories that define what characteristics Aspire looks for in prospective Board members:

**Skill Set** – All Board members must have expertise in an area that is valuable to Aspire’s operations, especially where there are gaps in the board skill set.

**Fundraising Capacity** – All board members are required to give a personally meaningful gift, and support the fundraising program of the organization.

**Diversity** – Geographic, ethnic and gender diversity are very important factors.

The organizational chart for the entire Aspire organization is included in Appendix G, and Aspire’s comprehensive organization chart is below.
FAMILY AND COMMUNITY INVOLVEMENT

There will be a teleconference line and video broadcast available in a conference room at Aspire - Junior Collegiate Academy (JCA) located at 6724 Alameda Street in Huntington Park, CA. An Aspire staff member will be present in the conference room at JCA to assist any parents who would like to participate via phone or video broadcast. The Board Meeting teleconference number will be posted on all Board agendas. The Brown Act will be followed with regard to teleconferencing.

All meeting agendas are posted in accordance with the Brown Act. All meetings of the Board are meetings in which the public may attend and participate.

The Board agendas, meeting times, and locations are posted in advance on our website and at the specific locations, in accordance with the Brown Act. Local stakeholders will have access to Board of Directors meetings pursuant to the procedures in place designed to comply with the Brown Act.

Board meetings are typically held at the principal office of Aspire Public Schools, currently 1001 22nd Ave, Oakland, CA 94606 and is subject to change. Regular Board meetings are typically held 5 times per year. Executive Board meetings are typically held every month. Frequency and location of Regular and Executive Board meetings are subject to change and noticed in accordance with Brown Act. Special and Emergency Board meetings can be called according to Brown Act. The Annual meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors, in compliance with Brown Act.

Aspire encourages all groups to participate in and share responsibility for the educational process and educational results. In order to achieve this important end, the Charter School share local control with an Advisory School Council ("ASC"), referred to as the Parent Ambassador Committee, which consists of family and school representatives. The representatives are made up of 10-15 parent volunteers, representing all grades. The Committee meets quarterly with the Principal and selected school staff to discuss school needs, policies, and how they can help with fundraising and upcoming school events. The Committee has the power to make recommendations about issues related to the Charter School and participates in reviewing family and community concerns. The principal is responsible for communicating all ASC policy recommendations to the Aspire Board of Directors. In short, Aspire’s Board of Directors oversees issues related to Aspire schools in general, while the Parent Ambassador Committee focuses on the individual school’s needs.

ADDITIONAL OPPORTUNITIES FOR FAMILY INVOLVEMENT

- Families, students and teachers meet at least twice a year to plan and assess the students’ learning progress and determine goals

- Exhibition panels – families may sit on panels to judge student work

Aspire Ollin University Preparatory Academy Charter Renewal 2014-19
- School and staff evaluations – families fill out a survey each year evaluating the strengths and weaknesses they identify with the program at the Charter School

- Student-led conferences – students will lead conferences on their work during the year to keep their families informed

- Volunteer Opportunities – various opportunities will arise for families to volunteer, such as helping in classrooms, leading extra-curricular activities, assisting in event planning, attending study trips, and serving on family committees

- Fundraising – families and community members may work with the Charter School to raise additional resources to support students and the Charter School program

- Advocacy – families and community members communicate the Charter School design and outcomes to the public, educators and policy makers and advocate for necessary policies and resources

- Aspire Board of Directors meetings – families and community members are welcome to the Board meeting. In compliance with the Brown Act, Aspire posts the agenda for Aspire Board of Directors meetings at least 72 hours prior to the meeting.

**ADDRESSING FAMILY CONCERNS AND COMPLAINTS**

Aspire is committed to working with families to address family concerns and complaints. Families will be encouraged to share their ideas and concerns with the Charter School and Aspire throughout the school year.

Aspire has established a formal complaint process to address any family complaints about the employees or employment practices of the organization. Aspire has issued a Uniform Complaint Procedure Policy and a Community Complaint Form. The revised Uniform Complaint Policy that was approved by the Board on September 4, 2013. Finally, Aspire is committed to providing a safe, discrimination-free and harassment-free education to its students. To help achieve this important end, Aspire has established a formal Discrimination/Harassment Policy and Complaint Procedure, attached in Appendix H.

**Title IX, Section 504, and Uniform Complaint Procedures**

Charter School shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504), including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by
these laws. Charter School shall notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, if any, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.


Charter School shall extend its uniform complaint procedure to complaints pursuant to the local control funding formula. (Cal. Educ. Code section 52075).

**Legal and Policy Compliance**
The Charter School will comply with the District policy related to charter schools, as it may be changed from time to time after notice and reasonable opportunity for input from the Charter School Collaborative.

**Responding to Inquiries**
The Charter School, including its nonprofit corporation, shall promptly respond to all inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. The Charter School, including its nonprofit corporation, acknowledges that it is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General.
If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School’s operations is received or discovered by the District, Charter School shall cooperate with any resulting investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

**Notification of the District**
The Charter School shall notify the Charter Schools Division in writing of any citations or notices of workplace hazards, investigations by outside regulatory or investigative agencies, lawsuits, or other formal complaints, within one week of receipt of such notices by the Charter School.

**Transfer of student records**
When a student transfers for any reason from Charter School to any other school, Charter School shall transfer the student’s complete cumulative record within 10 school days of receiving a records request from the receiving school. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 16.
Element 5: Employee Qualifications

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

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

Aspire will recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. Aspire believes that all of its employees play a key role in creating a successful learning environment and will recruit qualified employees throughout the organization. Aspire recognizes that employment is voluntary, and the Aspire Board of Directors shall not require any employee to be employed at an Aspire school. The Charter School will conduct background checks on employee candidates to provide for the health and safety of the Charter School’s faculty, staff, and pupils and the academic success of the pupils. Aspire’s Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Employees will meet specific qualifications for employment as outlined in their job descriptions. Teachers at each school will meet all requirements for employment set forth in applicable provisions of law, including credential requirements outlined in Section 47605(l) of Charter Schools Act and the Elementary and Secondary Education Act. As provided in the Charter Schools Act, the Charter School is afforded flexibility with regards to noncore, noncollege preparatory courses (e.g. music, physical education, various electives, etc.). The educational and skill level qualifications and job descriptions of teachers to be employed in the Charter School shall meet the educational goals as outlined in this charter.

**EQUAL EMPLOYMENT OPPORTUNITY**

The Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

**NCLB AND CREDENTIALING REQUIREMENTS**

The Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers meet the requirements for employment set forth in California Education Code section 47605(l). Teachers of core and/or college preparatory subjects, and special education teachers, must hold and maintain a Commission on Teacher Credentialing
certificate, permit or other document equivalent to that which a teacher in a non-charter public school would be required to hold in the same assignment. Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

**PRINCIPAL QUALIFICATIONS**

The Charter School’s Principal will be the instructional leader at the Charter School and will be responsible for helping the Charter School and students achieve the outcomes outlined in this charter petition.

The Principal will have the following qualifications:

*Required knowledge, skills, and abilities:*
  - Superb communication and community-building skills
  - Deep knowledge of curriculum development and secondary program design
  - A record of success in developing teachers
  - Entrepreneurial passion

*Required educational level:*
  - Bachelor’s degree
  - Masters or Ph.D. in Education preferred

*Required experience:*
  - 7 plus years teaching and administrative experience
  - 3 plus years working with urban students as a full-time teacher preferred
  - Experience in performance assessment

**OFFICE MANAGER QUALIFICATIONS**

The Office Managers are responsible for overall front office activities, will report to the Principal, and will work with students, parents, and outside parties. The Office Manager will have the following qualifications:

*Required knowledge, skills, and abilities:*
  - Strong organizational, time management, and multi-tasking skills
  - Strong interpersonal and communication skills
  - Expedience in office management capacity
  - Ability to work independently as well as with a team

*Required educational level:*
  - A.A. degree or equivalent work experience

*Required experience:*
- 4 plus years in fast-paced administrative support position
- Experience in school front office preferable
- Proficiency with Microsoft Office

TEACHER QUALIFICATIONS

Criteria for the selection of teachers are adapted from the five standards used for certification from the National Board for Professional Teaching Standards. During the hiring process, candidates are evaluated using these standards:

1. Committed to students and learning
2. Knowledgeable about their subject matter
3. Skilled in management of learning
4. Reflective in their practice
5. Community-oriented

In addition, teachers of core, college preparatory courses at each Aspire school will be required to hold a California Commission on Teacher Credentialing (CCTC) certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Teachers who are hired to teach a specific subject (e.g. math) will be required to hold a subject-specific credential or permit from the CCTC. In accordance with Education Code Section 47605(l), flexibility shall be given with regard to noncore, non-college preparatory courses.

Additionally, teachers shall meet all applicable requirements to be highly qualified under the Elementary and Secondary Education Act.

TEACHER HIRING

As a public charter school organization with a clearly defined focus, Aspire tends to attract educators interested in working in more accountable, innovative, collaborative environments—teachers and principals who are themselves educational entrepreneurs. A rigorous and sound process for selecting from the pool of teacher candidates is essential.

Aspire’s multiple-stage approach includes: a resume screen; interview with a site hiring committee (discussed below); demonstration lesson with students; and reference checks.

The Principal will be in charge of making School hiring decisions and may have the opportunity to work with other staff and community members in making these decisions. The Charter School will utilize a hiring team that includes some or all of the following individuals:
• **Principal**: Chairs the hiring committee and makes all final decisions on hiring for the Charter School.

• **Office Manager**: Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; collecting score sheets; coordinating with current staff or participating students for demonstration lessons; and sending declined candidates’ paperwork to Aspire’s Home Office.

• **Teachers**: Actively participate in evaluating candidates through interview and demonstration lesson observation.

• **Parents**: Actively participate in evaluating candidates through the interview process, observe demonstration lessons and provide input.

**Professional Development**

Once teachers are hired, Aspire invests in their continued professional development. Teachers new to Aspire participate in 1 week of training and four follow-up trainings to become fluent in the Aspire education program; Aspire culture, literacy instruction, math instruction, rigorous interdisciplinary instruction, parent engagement and time with other team members examining student data. Each subject training includes professional development about assessing student achievement, classroom management and differentiating instruction. Teachers also receive ongoing PD that takes place weekly on minimum days. Weekly PDs are based on the specific needs of the Charter School. The topics are determined by the principal with input from the lead teachers. They may be run by the principal, a lead teacher, an outside expert, or an instructional coach.

In addition, Aspire conducts several school-year workshops in specific areas. The Charter School Principal, in his/her capacity as instructional leader, provides on-site coaching. Teachers are organized into teams, led by an experienced “lead teacher” who has the skills to mentor others. Teachers are then able to collaborate and support each other to reach the Charter Schools’ and individual students’ learning goals. Aspire also has instructional coaches who provide additional support, provide one-on-one consultation, and conduct experience-based group sessions (e.g. New Teacher Support Program). Teachers are observed a minimum of four times a year by their School Principal or a designee according to the Aspire Instructional Rubric which is based on the Danielson framework. A copy of Aspire’s Evaluation Tool is attached in Appendix I.

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9 The Framework for Teaching, created by Charlotte Danielson, is a comprehensive and coherent framework that identifies those aspects of a teacher’s responsibilities that have been documented through empirical studies and theoretical research as promoting improved student learning. The Framework for Teaching is a validated instrument; that is, studies have shown that teachers who receive higher ratings on their evaluation produce greater gains in student test scores.
Element 6: Health and Safety Procedures

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

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

In order to provide safety for all students and staff, Aspire has adopted and implemented full health and safety procedures and risk management policies at each school site in consultation with its insurance carriers and risk management experts. The Charter School’s site health and safety plan is attached in Appendix J.

Health, Safety and Emergency Plan
The Charter School will have a Health, Safety and Emergency Plan in place prior to beginning the operation of the Charter School. The Charter School will ensure that staff has been trained in health, safety, and emergency procedures and will maintain a calendar and conduct emergency response drills for students and staff. The Charter School shall periodically review and modify as necessary, its Health, Safety and Emergency Plan, and keep it readily available for use and review upon CSD request.

FERPA
The Charter School, its employees and officers will comply with the Family Educational Rights and Privacy Act (FERPA) at all times.

Criminal Background Checks and Fingerprinting
Charter School shall require all employees of the Charter School, and all volunteers who will be performing services that are not under the direct supervision of a Charter School employee, and any onsite vendors having unsupervised contact with students to submit to criminal background checks and fingerprinting. The Charter School will maintain on file and available for inspection evidence that the Charter School has performed criminal background checks for all employees and documentation that vendors have conducted required criminal background checks for their employees prior to any unsupervised contact with students. The Charter School shall also ensure that it receives subsequent arrest notifications from the Department of Justice to ensure the ongoing safety of its students.

IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS
Charter School shall require its employees, and any volunteer, vendor, or independent contractor who may have frequent or prolonged contact with students, to be examined
and determined to be free of active tuberculosis as described in Education Code section 49406. Charter School shall maintain TB clearance records on file.

Charter School shall provide for the immunization and health screening of its students, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain immunization records on file.

**ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS**

All non-certificated and certificated staff are mandated child abuse and neglect reporters at Aspire Public Schools. This includes Home Office and Regional Support Staff who may be on campus at any given time. All staff are trained on recognizing and reporting child abuse each year and are expected to comply with state reporting laws.

At a minimum, this means that all staff know they are required to report suspected child abuse and/or neglect as soon as possible via phone to applicable county agencies or law enforcement and to follow up within 36 hours with a written report (either paper copy or through the online reporting system for LA).

Additionally, Aspire maintains links to applicable agencies on their internal website for teachers who may need review of guidance received in the trainings and Aspire counselors are trained in supporting teachers in making reports, as well as being mandated reporters themselves.

**TUBERCULOSIS TESTING**

Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

**IMMUNIZATIONS**

All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

**MEDICATION IN SCHOOL**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school and will abide by all guidance as issued by the California Department of Education and applicable law.
VISION, HEARING, AND SCOLIOSIS

Aspire will adhere to Education Code Section 49450, et seq., regarding vision, hearing, and scoliosis screening as applicable to the grade levels served by the Charter School.

DIABETES

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:


3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.


5. A description of the different types of diabetes screening tests available.

EMERGENCY PREPAREDNESS

The Charter School shall adhere to Emergency Preparedness Procedures drafted specifically to the needs of the Charter School. These procedures shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site may be used as a starting basis for updating the procedures for the Charter School.

BLOOD BORNE PATHOGENS

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.
DRUG FREE/ALCOHOL FREE/SMOKE FREE ENVIRONMENT

The Charter School shall function as a drug, alcohol and tobacco free workplace.

FACILITY SAFETY

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

COMPREHENSIVE SEXUAL HARASSMENT POLICIES AND PROCEDURES

Aspire is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Aspire has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the school (including employee to employee, employee to student, and student to employee misconduct).
Element 7: Means to Achieve Racial & Ethnic Balance

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

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

Aspire will strive to ensure that the student population of the Charter School will be reflective of the general population residing within the territorial jurisdiction of the District. Aspire will monitor the racial and ethnic balance among its students on an annual basis and will engage in a variety of means and strategies, including monitoring and revising its student outreach plan on an annual basis, to achieve a racially and ethnically diverse student population. These strategies cover a broad-based recruiting and application process every year during Open Enrollment:

- Outreach efforts via parent volunteers, neighborhood groups, community organizations, churches, local prominent businesses, and other leadership organizations.
- Marketing brochures targeted toward diverse populations.
- Outreach to the Huntington Park neighborhood with flyers, local newspaper advertisements and attendance at local events to advertise and recruit students for the school.
- Aspire – Ollin University Preparatory Academy will also host open houses to provide information on the school’s curriculum and program.
- All outreach and recruiting efforts are done in English and Spanish.
- Aspire – Ollin University Preparatory Academy does recruitment efforts for academically low-achieving and economically disadvantaged students.

The Charter School is committed to ensuring that all students and families involved with our outreach and process are made to feel welcome and respected. The geographic area surrounding the school site in Huntington Park will be targeted in outreach efforts. The demographics for the 90255 Zip code indicate that the community is 97.2% Latino, 1.6% White, 30% Black or African American, 0.10% American Indian and Alaska Native, 0.50% Asian, 0.10% Other Race, and 0.10% Two or More Races. Aspire [insert name of school] is committed to upholding the District’s ethnic balance goal and the school’s outreach and recruitment efforts described above will support this.

Aspire shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).
COURT-ORDERED INTEGRATION

Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order, by Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD. The Charter School will provide a written plan in the charter petition and upon further request by the District outlining how it would achieve and maintain the LAUSD’s ethnic goal of 70:30 or 60:40 ratio. *(Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)).* The written plan should list specific dates, locations and recruitment activities to achieve the District’s Racial and Ethnic Balance goal. Charter School shall monitor the implementation and outcomes of the initial plan, and modify it as necessary to achieve its goals. Upon request, Charter School shall provide the District with a copy of its current written plan.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. Instead, the District now receives the Targeted Instruction Improvement Grant (TIIG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIG funding, where available, and cannot guarantee the availability of this funding.

No Child Left Behind-Public School Choice (NCLB-PSC) Traveling Students

The District and the Charter School are committed to providing all students with quality educational alternatives in compliance with all federal and state laws, including students who are enrolled in schools of the District identified by the California Department of Education as in need of Program Improvement. *No Child Left Behind-Public School Choice (“NCLB-PSC”) placement with charter schools is an alternative strongly encouraged by the No Child Left Behind Act of 2001 (“NCLB”).* The Charter School agrees to discuss with the District the possibility of accepting for enrollment District students participating in the District’s NCLB-PSC program. The parties agree to memorialize separately any agreed-to number of NCLB-PSC placements of District students at the Charter Schools.

As required under NCLB, all NCLB-PSC students attending the Charter School shall have the right to continue attending the Charter School until the highest grade level of the charter. However, the obligation of the District to provide transportation for a NCLB-PSC student to the Charter School shall end in the event the NCLB-PSC student’s resident District school exits Program Improvement status.

The Charter School will ensure that all of its NCLB-PSC students are treated in the same manner as other students attending the Charter School. NCLB-PSC students are and will be eligible for all applicable instructional and extra-curricular activities at the Charter School. The Charter School will make reasonable efforts to invite and
encourage the participation of the parents of NCLB-PSC students in the activities and meetings at the Charter School.

Determination of student eligibility for this NCLB-PSC option, including the grade level of eligibility, will be made solely by the District, based on the District’s NCLB-PSC process, guidelines, policies and the requirements of NCLB. In the event demand for places at the Charter School under the NCLB-PSC program increases in subsequent years, the Charter School agrees to discuss with the District the possibility of increasing the number of NCLB-PSC places available at the Charter School.

**FEDERAL COMPLIANCE**

As a recipient of federal funds, including federal Title I, Part A funds, Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act of 2001 (NCLB) and other applicable federal grant programs. Charter school understands that it is a local educational agency [LEA] for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified

- Develop jointly with, and distribute to, parents of participating children, a school-parent compact

- Hold an annual Title I meeting for parents of participating Title I students

- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy

- Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds

- Complete and submit Local Education Agency (LEA) Plan to CDE

- Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I schoolwide status, if applicable; otherwise,
identify and maintain roster of eligible students for the Title I Targeted Assistance School Program

- Maintain inventory of equipment purchased with categorical funds, where applicable; and

- Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable

Charter School also understands that as part of its oversight of the Charter School, the District may conduct program review of federal and state compliance issues.
**Element 8: Admission Requirements**

Admission requirements, if applicable.

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

Aspire will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

Aspire shall admit all pupils who reside in the State of California who wish to attend the Charter School subject to the provisions set forth below. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. Aspire will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

The Aspire application process is comprised of the following:

- Completion of a Student Interest Form for each child who is interested in attending the Charter School

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing Aspire students who are guaranteed enrollment in the following school year. Enrollment preferences in the case of a public random drawing shall be as follows:

- Siblings of students already admitted to the Charter School
- Founding Families (not to exceed 10%) and children of Aspire Regular employees (not to exceed 10%) who reside in the District
- Children residing within the District
- Founding Families (not to exceed 10%) and children of Aspire Regular employees (not to exceed 10%) who do not reside in the District
- All other students who reside in the state of California

**Founding Parents/Founder Family Preference**

1.1 “Founding Period”: The applicable time period in which an individual can be deemed a Founding Parent/Founder is the specific period during which the charter petitioner is developing the charter school through the school's first day of instruction. The petitioners must submit to the Charter Schools Division
documentation establishing an official start of founding period at the time of charter petition submission (i.e., typically 12-18 months prior to charter approval; reflected in board minutes). A school may not add to the founding group after the first day of instruction.

1.2 “Founding Parent/s” or “Founders” are respectively defined as parent/s or legal guardian/s or individuals who contribute substantial personal time and effort to develop the new charter school during the established Founding Period as noted in subsection 1.1. There shall be no requirement that Founding Parents/Founders contribute funds as a part of their commitment. Petitioners must prescribe in their charter petition the eligibility criteria for Founding Parents/Founders, including defining the appropriate minimum number of volunteer hours required.

1.3 Founding Parent status cannot be delegated or transferred to other individuals. Preference for children of Founding Parents/Founders may apply during the life of the charter as long as pupils who qualify for this preference does not constitute more than 10 percent of the school’s enrollment. The admissions preference is applicable to all children of the charter school’s Founding Parents/Founders even if the children do not begin attending the charter school until after the first year of the school’s operation.

1.4 For charter schools that have more applicants than space available, children of Founders shall be exempted from the random public admissions lottery and not to exceed more than 10 percent of the school’s enrollment.

1.5 For oversight purposes, charter school applicants must submit to the Charter Schools Division documentation confirming the following information:

- a list of Founders, contact information, and number of volunteer hours performed;
- an aggregate count of Founders’ enrolled children by grade.

1.6 As part of oversight, the District may audit the charter school’s lottery and admissions practices to ensure compliance, including conducting interviews of Founders.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a waitlist according to their draw in the lottery. This waitlist will allow students the option of enrollment in the case of an opening during the current school year.

In no circumstance will a waitlist carry over to the following school year.

Upon confirmation that a student has secured a spot at the Charter School, parents must submit a completed Registration Form.
PLANNED APPLICATION, PUBLIC RANDOM DRAWING, AND ADMISSION SCHEDULE

Aspire typically utilizes the following application, public random drawing, and admission schedule. The schedule below may be abbreviated to ensure all steps are followed within a shorter timeframe if required.

<table>
<thead>
<tr>
<th>December – January</th>
<th>Recruit students (via referrals, networking, and holding enrollment and option fairs). Collect Student Interest Forms.</th>
</tr>
</thead>
<tbody>
<tr>
<td>January - March</td>
<td>Send re-enrollment forms to existing students to identify open seats. All families are contacted through mail, in person conversations and phone calls to retrieve reenrollment forms. Public random drawing conducted (if necessary).</td>
</tr>
<tr>
<td>March - May</td>
<td>Waitlist letters distributed to applicants not selected in the public random drawing. Acceptance letters and registration packets distributed to parent and children who have been drawn in the public random drawing.</td>
</tr>
</tbody>
</table>

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

The Charter School will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. The Charter School will include specific information in their outreach materials, websites, at community meetings, open forums, and regional center meetings that notifies parents that the school is open to enroll and provide services for all students, and provides a District standard contact number to access additional information regarding enrollment. A student’s IEP will never be required prior to participation in any attendance lottery or as a condition for enrollment.

NON-DISCRIMINATION

The Charter School shall not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, or any other
information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. The Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

The Charter School shall not request or require submission of a student’s IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.
Element 9: Annual Financial Audits

The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

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

The annual audit shall be conducted in compliance with the California Education Code 47605(b)(5)(I) as it is amended from time to time.

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD, each year:

a. Provisional Budget – Spring prior to operating fiscal year
b. Final Budget – July of the budget fiscal year
c. First Interim Projections – November of operating fiscal year
d. Second Interim Projections – February of operating fiscal year
e. Unaudited Actuals – August 15 following the end of the fiscal year
f. Audited Actuals – December 15 following the end of the fiscal year
g. Classification Report – monthly according to school’s Calendar
h. Statistical Report – monthly according to school’s Calendar of Reports

In addition:

- P1, first week of January
- P2, first week of April
- Instructional Calendar – annually five weeks prior to first day of instruction
- Other reports as requested by the District

Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter, or if applicable, referred to the Education Audit Appeal Panel (EAAP) appeal process as required by Education Code Section 41344. The independent financial audit of the Charter School is a public record to be provided to the public upon request.
Element 10: Suspension and Expulsion Procedures

The procedures by which pupils can be suspended or expelled.

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

The policies and procedures for suspension and expulsion will be periodically reviewed and the list of offenses for which students are subject to suspension and expulsion will be modified as necessary and based on California Education Code. The Charter School will notify the District of any expulsions. The Charter School will account for suspended or expelled students in its average daily attendance accounting as provided by law. In accordance with Education Code §47605(d)(3), upon expulsion of any student, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.

GENERAL PROVISIONS

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about the District’s Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students. This means that the Charter School shall be responsible for maintaining the educational access of students during and pending the completion of the Charter School’s student expulsion process and shall facilitate this access through home and independent study. The Charter School is not required to maintain the enrollment of the expelled student until they find placement in another LEA.

The Charter School will facilitate placement of expelled students by communicating with LAUSD within 5 days of when a student is expelled. In this communication, the Charter School will provide a copy of the findings from the expulsion hearing which includes the reason for the expulsion, terms of expulsion and terms of rehabilitation. The Charter
School will also provide all academic and behavioral records to any LEA requesting the records for any expelled student within 10 school days per Education Code 49068.

Additionally, accommodations, modifications and other services protected under IEP or 504 plans for any particular student will be provided during and pending the completion of the Charter's School's student expulsion process as required by law.

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

Notwithstanding the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the Superintendent of the student's district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code sections 49068 (a) and (b).

**STUDENTS WITH DISABILITIES**

Charter School shall implement operational and procedural guidelines ensuring compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

In the case of a student who has an Individualized Education Program ("IEP"), or a student who has a 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team, including a District representative, will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District's Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, Charter School's administrator will convene a Link Determination meeting to ask the following two questions:

A. Was the misconduct caused by, or directly and substantially related to the student's disability?

B. Was the misconduct a direct result of the Charter School's failure to implement 504?

**OUTCOME DATA**
Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

**REHABILITATION PLANS**

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School’s Administrative Panel at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

**READMISSION**

Charter School’s governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School’s governing board shall readmit the pupil; unless Charter School’s governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil’s parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil’s parent/guardian within a reasonable time.

**REINSTATEMENT**

Charter School’s governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

**GUN FREE SCHOOLS ACT**

Charter School shall comply with the federal Gun Free Schools Act.

*Discipline Foundation Policy*

Aspire believes that all students have the right to learn in a safe, respectful and welcoming environment. The implementation of a school-wide behavior intervention
and discipline plan is essential to the creation of this type of environment and the success of our students and teachers both behaviorally and academically.

Research shows that positive school climates increase student achievement, lower student suspensions and expulsions and increase graduation rates. This fits directly with Aspire’s College for Certain model and Aspire has put additional resources behind creating and improving these systems for our individual schools and as an organization.

The Charter School’s specific vision states: The Charter School believes in caring and authentic relationships among students and adults that support academic excellence, college readiness, lifelong learning, reflection and social consciousness. We believe that all students are scholars. We honor the community, culture and family background of our students.

In addition to Aspire’s overarching discipline policies (found in our student handbook), the Charter School utilizes a variety of interventions and school-specific policies. This includes a consequence ladder and specifically delineated alternatives to suspension (see below):

<table>
<thead>
<tr>
<th>Charter School Consequence Ladder</th>
<th>Alternatives to Suspension</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Verbal Warning(s)</td>
<td>• Parent Conference</td>
</tr>
<tr>
<td>2. Reflection Zone (Minutes,</td>
<td>• Friday Detention</td>
</tr>
<tr>
<td>Reflection Prompt, etc.)</td>
<td>• Saturday Service Day</td>
</tr>
<tr>
<td>3. Buddy Teacher</td>
<td>• Adult-Student Relationship</td>
</tr>
<tr>
<td>4. After School Conference &amp; Call</td>
<td>Building through specifically planned activities (Ex. Hiking)</td>
</tr>
<tr>
<td>Home</td>
<td>• Behavior Daily’s</td>
</tr>
<tr>
<td>5. Referral</td>
<td>• Counseling</td>
</tr>
<tr>
<td></td>
<td>• Peer Mediations</td>
</tr>
<tr>
<td></td>
<td>• In-School Alternatives</td>
</tr>
<tr>
<td></td>
<td>• Piloting of Restorative Practices</td>
</tr>
</tbody>
</table>

Along with the above, the Charter School has been participating in meditation teaching and practice within their Advisory program. The Center for Wellness and Achievement in Education states that the benefits of meditation include:
- Reduction in stress, anger and anxiety
- Improved academic achievement
- Improved attendance and graduation rates

The Charter School believes this practice fits well within the District’s foundation policy which specifically references that using proactive strategies to prevent discipline problems (such as teaching meditation skills to students to lower the precursors to behavior problems) is a key component to an effective discipline system. Along with meditation and the other alternatives to suspension referenced, the Charter School’s counseling team also works with parents and students to connect them with outside
resources to help ameliorate other concerns that may impede a student’s ability to learn or make it difficult for them to regulate behavior in school.

In addition to the work the Charter School has put in to their specific school climate, Aspire provides a variety of supports to our schools and school staff in implementing school-wide behavior interventions and discipline policies, improving student attendance and implementing alternatives to suspension.

In direct response to our need to focus on our non-academic indicators of success, Aspire has recently hired a Regional Student Support Coordinator (RSSC) specifically assigned to our LA schools. The RSSC’s role encompasses both school-specific and region-wide and includes, but is not limited to:

- Provides professional development and individualized coaching to Deans of Students around areas related to student behavior and discipline, including, but not limited to:
  - Creation and Use of behavior and discipline data, attendance data and other indicators to inform decision-making at various tiers of intervention
  - Consult on student specific cases, including discussions of alternatives to suspension, interventions, etc.
  - Hold region-wide professional development to support cross-school collaboration and discussion, increase understanding of recent research in student support, etc.

- Provides professional development and individualized coaching to mental health counselors around areas related to student behavior and mental health, including, but not limited to:
  - Creation and Use of behavior and discipline data, attendance data and other indicators to inform decision-making at various tiers of intervention
  - Clinical supervision for counselors working towards licensure
  - Coordination of crisis response protocols and regional response teams

- Provides monthly consultation time with principals to discuss discipline data, attendance data and other non-academic student support needs.

- Creates and Updates Region Specific resource pages that include, but is not limited to, the following types of information:
  - Professional Development topic pages. For example, resource pages dedicated to Restorative Practices in Schools
  - Links to LAUSD support resources around discipline and behavior interventions
  - Family resource referrals for outside agencies and supports

- Collaborate with LAUSD and outside agencies to craft and expand supports for our schools. Ex:
- The RSSC works to keep abreast of LAUSD recommendations and requirements around student support and communicate with our schools around that information.
- The RSSC is currently working with local universities to gain counseling interns in order to expand the services our schools can provide to our students with social-emotional and mental health needs, hopefully preventing and/or ameliorating many of the behavioral issues that occur because of SE needs.

In terms of the data necessary to determine the efficacy of our school’s behavior system, all Aspire school utilize OnCourse to track behavioral data, not simply suspension data, in order to allow school personnel (including administration) to get a better picture of their behavior landscape and build additional interventions as needed. Aspire has built a variety of data reports that allow administrators to easily access important data trends. Some examples include:
  - Most common behavior incidents by type
  - Suspension rates for students
  - Total suspension by month (with comparisons available month to month and by year)

Part of the RSSC’s role is to routinely access this data and bring trends (positive and negative) to the attention of the admin team at the school site and the area superintendent.

Additionally, the LA RSSC works as part of a larger team within Aspire to increase the knowledge-base and collaboration among different staff stakeholders such as principals, deans, counselors, office managers and teachers in order to increase effectiveness and student achievement. The focus of this work is on non-academic indicators and interventions and includes routinely analyzing non-academic data such as behavior incidents, suspension data, attendance data and other indicators. This team includes student support coordinators in other regions, regional special education staff, members of the student services team at Aspire and others.

**Suspension**

Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. Students who come to school during the term of their suspension or expulsion may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means of correction have not been successful or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.
**Authority to Suspend**

1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.

2. The Principal or his/her designee may suspend a student from class, classes, or the school campus for a period not to exceed five school days.

3. The CEO or designee may extend a student’s suspension pending final decision by the Aspire Administrative Panel on a recommendation for expulsion.

4. A student with an IEP being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Aspire Administrative Panel on a recommendation for expulsion.

**Jurisdiction**

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to an Aspire school activity, 2) school attendance occurring at an Aspire school or at any other school, or 3) at an Aspire school’s sponsored event.

**Suspension Alternatives**

The Aspire CEO, CEO Designee, or Principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and anger management programs for students subject to suspension or expulsion. An additional alternative may be community service on school grounds or, with written permission of the parent or guardian, off school grounds during the student’s non-school hours. [Education Code 48900.6]

**Grounds for Suspension and Expulsion**

The following information is provided in order to provide uniformity within Aspire in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion:

a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

   or (2) Willfully used force or violence upon the person of another, except in self-defense.

b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property.

g) Stole or attempted to steal school property or private property.

h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

l) Knowingly received stolen school property or private property.

m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
   A. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
   B. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
   C. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
   D. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

2. (A) "Electronic act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
   A. A message, text, sound, or image.
   B. A post on a social network Internet Web site including, but not limited to:
      i. Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
      ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1).

         (1) "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

         (2) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
2. B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

3. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily harm.

In addition to the grounds specified above, an Aspire student enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the CEO or the principal of the Charter School in which the student is enrolled determines that the student has:

- Committed sexual harassment as defined in the Education Code section 212.5.
- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Section 233 of the Education Code.
- Intentionally engaged in harassment, threats, or intimidation, directed against any Aspire personnel or students, that are sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment.
- Made terroristic threats against school officials or school property. Possessed or used any electronic signaling device that operates through the transmission or reception of radio waves, including, but not limited to, paging and signaling equipment, cell phones, pagers, game devices, lasers, laser-pointers, and music playing devices while students are on campus or attending a school-sponsored activity, or while under the supervision and control of any Aspire employee.

Procedures in Cases Requiring Suspension

1. Incident Investigation - The school site administrator or teacher investigates the incident and determines whether or not it merits suspension.

2. Determination of Length of Suspension - The school site administrator determines the appropriate length of the suspension in conjunction with local school policy and school-specific disciplinary management plans (up to five consecutive school days).

The total number of days for which a student maybe suspended from school shall not exceed 20 school days in any school year. A student who accumulates more than 20
days of suspension in a school year shall be recommended for expulsion to the Aspire Board of Directors.

3. **Legal Notifications**—Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. Upon reporting such an incident, the principal or designee with secure a written copy of the police report and a copy of that report shall be placed in the private student files.

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts that may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind.

When the Principal or other school official releases a student to a peace officer for the purpose of removing the student from the school premises (after the release), the Principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the student regarding the release of the minor to the officer, and regarding the place to where the minor is reportedly being taken. **Note:** The responsibility to notify the parent, guardian, or other responsible relative concerning the release of a student does not apply to the release of a student who has been taken into custody as a victim of suspected child abuse.

4. **Suspension Conference**—Suspension shall be preceded, if possible, by a conference conducted by the Principal or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal.

5. **Notice of Suspension**—The Principal or designee must complete an Aspire Notice of Suspension form. The parent will be given written notice of the suspension using this form. The Aspire Notice of Suspension serves as written notification of the student’s suspension and indicates the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school.

A copy of this form is also sent to the Aspire home office (Attention: Director of Student Services) and placed in the principal’s private student files – suspension notices should not be placed in the student’s cumulative file.

**Appeals Process**

A student or the student’s parents guardians may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her school related offenses. Appeals are brought directly to the Aspire Executive Committee.
- Appeals must be made first in writing at the school level, and should be directed to the principal. The principal or principal’s designee will attempt to resolve the appeal with a written response within ten (10) school days.

- After appeal at the school level, if further appeal is desired, the appeal should be made to the Aspire Home Office and should be directed to the CEO or designee (Regional Student Support Coordinator) for resolution with a written response within fifteen (15) school days.

- After appeal at the Aspire administrative level, if further review is desired, the appeal may be forwarded to the Aspire Executive Committee for resolution with a written response within 20 school days.

If any appeal is denied, the parent may place a written rebuttal to the action in the student’s file.

**Expulsion**

Expulsion is the involuntary removal of a student from all Aspire schools and Aspire programs for acts of specified misconduct.

Except for single acts of a grave nature, expulsion should only be used when:
- there is a history of misconduct,
- other forms of discipline (including suspension) have failed to bring about proper conduct,
- a student has accumulated 20 or more days of suspension in a school year
- or when the student’s presence causes a continuing danger to other students.

**Authority to Expel**

A student may be expelled by the Aspire Administrative Panel. The Administrative Panel will consist of at least three members who are certificated and neither a teacher or principal of the pupil nor a member of the Aspire Board of Directors. The Aspire Administrative Panel may recommend expulsion of any student found to have committed a suspendable or expellable offense (APS 5144.1).

While under expulsion, a student cannot enroll in another Aspire school without approval of the Aspire Board of Directors. At the conclusion of an expelled student’s term of expulsion, a student cannot enroll in any Aspire school without approval of the Aspire Board of Directors through the readmission process. Approximately one month prior to the conclusion of the term of expulsion, the Aspire Registrar contacts the family to remind the student and family that they may return to Aspire if they have met the terms of their expulsion. Families have two weeks to submit documentation that they have met the terms of expulsion. If this information is not received within two weeks, the family is called by the Aspire Registrar. All communication is documented and sent via certified mail.
If a student has met all terms, the student is re-admitted and a re-entry conference with the principal of their school is scheduled to promote a smooth transition. At the secondary level, students are re-entered on a semesterly basis. The Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School’s student expulsion process and shall facilitate the post-expulsion placement of expelled students.

**Expellable Offenses**

- **Mandatory Expulsion**
  The Principal or CEO (or the CEO’s designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school’s jurisdiction. The Aspire Administrative Panel will also expel the student.

  **Mandatory Expulsion does not require a second finding of fact.**
  - Possessing, selling, or otherwise furnishing a firearm, unless pupil had obtained prior written permission to possess the firearm from a certificated school employee
  - Brandishing a knife at another person
  - Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
  - Committing or attempting to commit a sexual assault or committing a sexual battery
  - Possessing an explosive

- **Mandatory Recommendation for Expulsion**
  The Principal or CEO (or the CEO’s designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school’s jurisdiction. The Aspire Administrative Panel may order the student expelled.

  **Mandatory Recommendation for Expulsion requires a second finding of fact.**
  - Causing serious physical injury to another person, except in self-defense
  - Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student
  - Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one avoiduppois ounce of marijuana, other than concentrated cannabis
  - Robbery or extortion
  - Assault or battery upon any school employee as defined in (Penal Code 240 and 242)
• **Permissive Expulsion - requires a second finding of fact**
  
  Upon recommendation of the Principal or CEO (or the CEO's designee), the Aspire Administrative Panel may order a student expelled upon finding that the pupil, at school or at a school sponsored activity on or off school grounds, violated any of the suspendable acts listed under suspension.
Element 11: Employee Retirement Systems

The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

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

All employees of Aspire who qualify for membership in STRS or PERS shall be covered under the appropriate system. Employees will contribute at the rate established by STRS or PERS. The Payroll/Benefits Manager of Aspire will ensure that appropriate arrangements for the coverage have been made. Aspire will make all employer contributions as required. Aspire will also make contributions for workers’ compensation insurance, unemployment insurance and any other payroll obligations of an employer.
Element 12: Public School Attendance Alternatives

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.
- California Education Code Section 47605(b)(5)(L)

Aspire schools are “schools of choice,” and the Charter School recognizes that pupil attendance is voluntary and no pupil shall be required to attend an Aspire school. Pupils who choose not to attend the Charter School may choose to attend other public schools in their district of residence or pursue an interdistrict-transfer in accordance with existing enrollment and transfer policies of the District.

The parent or guardian of each student enrolled in the Charter School will be notified that their student shall have no right to admission in a particular school of any local educational agency (or program of any local educational agency) as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local educational agency.
Element 13: Rights of District Employees

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

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

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.
Element 14: Mandatory Dispute Resolution

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

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

Aspire is committed to working with the District in a spirit of cooperation.

The staff and governing board members of Aspire Ollin University Preparatory Academy agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and Aspire Ollin University Preparatory Academy, except any controversy or claim that is in any way related to revocation of this Charter, (“Dispute”) pursuant to the terms of this Element 14.

Any Dispute between the District and Aspire shall be resolved in accordance with the procedures set forth below:

1) Any Dispute shall be made in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All Written Notifications shall be addressed as follows:

To Charter School:  c/o the Principal:
Aspire Ollin University Preparatory Academy
2540 East 58th Street
Huntington Park, CA 90255

To Director of Charter Schools:  Director of Charter Schools
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

2) (2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within
fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys’ fees, costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party’s request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.

4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney’s fees, costs and expenses associated with the arbitration. The arbitrator’s fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney’s fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.
Element 15: Exclusive Public School Employer

A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code).

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

The Charter School is deemed the exclusive public school employer of all employees of the charter school for collective bargaining purposes. As such, the Charter School shall comply with all provisions of the Educational Employment Relations Act ("EERA"), if any, and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may, but are not required to, join and be represented by an organization of their choice for collective bargaining purposes.
Element 16: Charter School Closure Procedures

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

- California Education Code Section 47604(b) (5) (P)

In the event that the Charter School closes and does not continue operating under this charter or a different charter, the following procedures, which are adapted from the procedures recommended by the California Department of Education (“CDE”), shall be utilized to ensure a final audit of the Charter School to determine the disposition of all assets and liabilities of the Charter School, including plans for disposing any net assets and for the maintenance and transfer of pupil records.

Revocation of the Charter

The District may revoke the Charter if the Charter School commits a breach of any provision set forth in a policy related to Charter Schools adopted by the District Board of Education and/or any provisions set forth in the Charter School Act of 1992. The District may revoke the charter of the Charter School if the District finds, through a showing of substantial evidence, that the Charter School did any of the following:

- The Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

- The Charter School failed to meet or pursue any of the pupil outcomes identified in the charter.

- The Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

- The Charter School violated any provision of law.

Prior to revocation, and in accordance with Cal. Educ. Code section 47607(d) and State regulations, the LAUSD Board of Education will notify the Charter School in writing of the specific violation, and give the Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution clause set forth in this Charter.

Pursuant to AB 97, charter schools may be identified for assistance based on state evaluation rubrics and be subject to revocation pursuant to Education Code section 47607.3.
**CLOSURE ACTION**

The decision to close the Charter School either by the Aspire governing Board or by the LAUSD Board of Education will be documented in a “Closure Action”. The Closure Action shall be deemed to have been automatically made when any of the following occur: (1) Non-renewal; (2) the charter is revoked by the LAUSD Board of Education under the authority granted in Ed. Code, §§ 47607, subd. (c)(1)(C) or 47607, subd. (c)(1)(D); (3) the charter is revoked by the LAUSD Board of Education under the authority granted in Ed. Code, §§ 47607, subd. (c)(1)(A) or 47607, subd. (c)(1)(B) and the Charter School fails to win an appeal of that decision; (See Ed. Code, § 47607, subd. (i); (4) the Charter School board votes to close the Charter School; or (5) the Charter lapses.

**DOCUMENTATION OF CLOSURE ACTION**

The revocation or non-renewal of a charter school must be documented by an official action of the authorizing entity.

**CLOSURE PROCEDURES**

The procedures for charter school closure are guided by California Education Code sections 47604.32, 47605, 47605.6, and 47607 as well as California Code of Regulations, Title 5 (5 CCR), sections 11962 and 11962.1. The procedures outlined below are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” as posted on the California Department of Education website. References to “Charter School” applies to the charter school’s nonprofit corporation and/or governing board.

**DESIGNATION OF RESPONSIBLE PERSON(S) AND FUNDING OF CLOSURE**

Upon the taking of a Closure Action by either the governing board of the Charter School or the LAUSD Board of Education, the governing board of Aspire shall immediately designate a person or persons responsible for conducting all closure procedures and activities, and determine how the Charter School will fund these activities.

**NOTIFICATION OF CLOSURE ACTION**

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The CSD, if the Closing Action is an act of the Charter School. Note: If the Closure Action is a revocation or nonrenewal by the LAUSD Board of Education, the charter school may omit this step.
2. Parents, guardians, and/or caretakers of all students currently enrolled in the Charter School within 72 hours of the Closure Action. The Charter School shall simultaneously provide a copy of the written parent notification to the CSD.

3. Los Angeles County Office of Education (LACOE). The Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

4. The Special Education Local Plan Area (SELP A) in which the Charter School participates. The Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

5. The retirement systems in which the Charter School’s employees participate. Within fourteen (14) calendar days of the Closure Action, the Charter School shall notify the State Teachers Retirement System (STERS), Public Employees Retirement System (PERS), and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of this notification and correspondence to the CSD.

6. The California Department of Education (CDE). The Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.

Any school district that may be responsible for providing education services to the former students of Charter School. The Charter School shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.

7. All school employees within 72 hours and vendors within five business days of the Closure Action. The Charter School shall simultaneously provide a copy of the written employee and vendor notification to the CSD.

1. Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information: The effective date of the closure

2. The name(s) of and contact information for the person(s) handling inquiries regarding the closure

3. The students’ school districts of residence
4. How parents or guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification to the CDE must also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification to parents, guardians, and students should also include:

1. Information on how to transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of their child’s cumulative record which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and State testing results.
3. Information on student completion of college entrance requirements for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the school closure
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The date and manner, which shall be no later than 30 days from the effective date of school closure, by which Charter School shall provide employees with written verification of employment.

Within 30 days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of such letters to the CSD.

**STUDENT AND SCHOOL RECORDS RETENTION AND TRANSFER**

The Charter School shall observe the following in the transfer and maintenance of school and student records:

1. The Charter School will provide the District with original cumulative files and behavior records pursuant to District policy and applicable handbook(s) regarding cumulative records for secondary and elementary schools for all students both active and inactive at the Charter School. Transfer of the complete and organized original student records to the District will occur within seven calendar days of the effective date of closure.
2. The process for transferring student records to the receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another.

3. The Charter School will prepare an electronic master list of all students to the Charter Schools Division. This list will include the student’s identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list should also indicate the name of the Charter School that each student is transferring to, if known. This electronic master list will be delivered in the form of a CD.

4. The original cumulative files should be organized for delivery to the District in two categories: active students and inactive students. The CSD will coordinate with the Charter School for the delivery and/or pickup of the student records.

5. The Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.

6. The Charter School will provide to the CSD a copy of student attendance records, teacher gradebooks, school payroll records, and Title I records (if applicable). Submission of personnel records must include any employee records the charter school has. These include, but are not limited to, records related to performance and grievance.

7. All records are to be boxed and labeled by classification of documents and the required duration of storage.

**FINANCIAL CLOSE-OUT**

After receiving notification of closure, the CDE will notify the charter school and the authorizing entity if it is aware of any liabilities the charter school owes the state. These may include overpayment of apportionments, unpaid revolving fund loans or grants, or other liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the Charter School received state funding for which it was not eligible.

The Charter school shall ensure completion of an independent final audit within six months after the closure of the Charter School that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.

3. An assessment of the disposition of any restricted funds received by or due to the charter school.

This audit may serve as the Charter School’s annual audit.

The financial closeout audit of the Charter School will be paid for by the Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by the Charter School will be the responsibility of the Charter School and not LAUSD. The Charter School understands and acknowledges that the Charter School will cover the outstanding debts or liabilities of the Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. The Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which the Charter School participates, and other categorical funds will be returned to the source of funds.

The Charter school shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If the charter school chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance or enrollment data of the closed charter school with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

**Disposition of Liabilities and Assets**

The closeout audit must identify the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure appropriate disposal, in
accordance with Charter School’s bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. The return of any donated materials and property according to any conditions set when the donations were accepted.

2. The return of any grant and restricted categorical funds to their source according to the terms of the grant or state and federal law.

3. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If the Charter School is operated by a nonprofit corporation, and if the corporation does not have any other functions than operation of the Charter School, the corporation will be dissolved according to its bylaws.

   a. The corporation’s bylaws will address how assets are to be distributed at the closure of the corporation.

   b. A copy of the corporation’s bylaws containing the information on how assets are to be distributed at the closure of the corporation, are to be provided to LAUSD prior to approval of this Charter.

The Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

The Aspire Board shall adopt a plan for wind-up of the Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

The Charter School shall provide LAUSD within fourteen (14) calendar days of closure action prior written notice of any outstanding payments to staff and the method by which the Charter School will make the payments.

Prior to final closure, the Charter School shall do all of the following on behalf of the Charter School’s employees, and anything else required by applicable law:

   a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.

   b. File the Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).

   c. Make final federal tax payments (employee taxes, etc.)
d. File the final withholding tax return (Treasury Form 165).

e. File the final return with the IRS (Form 990 and Schedule).

This Element 16 shall survive the revocation, expiration, termination, cancellation of this charter or any other act or event that would end the Charter School's right to operate as a Charter School or cause the Charter School to cease operation. The Charter School and District agree that, due to the nature of the property and activities that are the subject of this petition, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 16. The District, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.
Charter-Related Issues

Term of Charter Petition

A charter may be granted pursuant to Sections 47605... for a period not to exceed five years. A charter granted by a school district governing board... may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

- California Education Code Section 47607(a)(1)

The Charter School’s renewed charter shall begin on July 1, 2014 and will expire on June 30, 2019. Any amendments to School’s charter may be made by the mutual agreement of the governing board of Aspire and the District.

Aspire may present a petition to materially amend the Charter at any time, and the District agrees to respond to such petitions pursuant to the process, criteria and timelines specified in the Charter Schools Act. Upon making the determination whether the proposed change is a material revision, the District will promptly inform the Charter School of the decision, generally within three (3) business days.

If the proposed change is determined to be a material revision of the charter, the Charter School must seek approval of its proposal through the material revision application process outlined below. If, however, the District determines that the proposed amendment does not constitute a “material revision” of the charter, the school may then send its requested change(s) in writing (by regular or electronic mail) to the District administrator assigned to the school. The District will review the written request and communicate its response to the charter school, generally within 15 business days of receipt. As part of its review of a request for non-material amendment of the charter, the District may request additional information and/or documentation as necessary.

Once the charter school has submitted a complete material revision application, District staff, in coordination with LAUSD’s legal counsel and other appropriate District staff, will review the submitted application materials, together with the charter school’s record of academic, operational, and organizational management performance, in order to determine its recommendation. Under certain circumstances, the District may determine that it is necessary to conduct a capacity interview as part of its effort to ascertain whether the school has the capacity to successfully implement the proposed changes. In that event, the District will notify the school promptly so that the interview can be scheduled as soon as practicable. The Charter School team should plan to make itself available for the capacity interview within five (5) days of receiving notification from the District.
Upon review, if the District determines that it will recommend approval of the requested material revision(s), District staff will draft the material revision agreement document and send it to the charter school for execution (signature). In addition to the proposed material revision(s), the document will include those revisions necessary to conform the charter to the current District Required Language and any changes in the law since the current charter was granted. The District will proceed to schedule and prepare for Board action on the District recommendation of approval of the material revision request. The material revision agreement document must be signed by the Charter School prior to Board action.

If, however, the District determines that it will recommend denial of the requested material revision(s), it will notify the school promptly. At that time, the school may choose to withdraw the request or indicate its intent to proceed to Board action notwithstanding the District recommendation. If the Charter School determines not to withdraw the request, District will proceed with scheduling and preparing for Board action on the District recommendation of denial of the request for material revision.

Based on the recommendation of the District and the guidelines delineated in Education Code §47605, the Board of Education will make a final decision to approve or deny the request for material revision of the charter. The Board of Education may approve a request for material revision with or without conditions and/or benchmarks. The Board of Education may deny a request for material revision if it finds that:

1. the Charter School will provide an unsound educational program for students during the term of its charter, as amended;
2. the Charter School is demonstrably unlikely to successfully implement the program set forth in the charter, as amended;
3. the charter, as amended, does not provide reasonably comprehensive descriptions of the 16 required elements set forth in the Charter Schools Act. Should the Charter School's request for material revision of its charter be denied, the school will continue to operate under the terms of its current approved charter. Material revisions shall take effect immediately upon District Board approval, unless a different effective date expressly applies, such as the beginning of the next school year.
District Impact Statement

The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation.

- California Education Code Section 47605(g)

INSURANCE REQUIREMENTS

No coverage shall be provided to the Charter School by the District under any of the District’s self-insured programs or commercial insurance policies. The Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] to protect the Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be the Charter School’s responsibility, not the District’s, to monitor its vendors, contractors, partners or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of $5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles (“Board of Education”) as named additional insured and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School’s policy. Coverage shall be maintained with no Self-Insured Retention above $15,000 without the prior written approval of the Office of Risk Management for the LAUSD.

2. Workers’ Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers’ Compensation Insurance coverage must also include Employers Liability coverage with limits of $1,000,000/$1,000,000/$1,000,000.
3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of $1,000,000 Combined Single Limit per Occurrence if the Charter School does not operate a student bus service. If the Charter School provides student bus services, the required coverage limit is $5,000,000 Combined Single Limit per Occurrence.

4. Crime Insurance or Fidelity Bond coverage shall be maintained by the Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be $50,000 per occurrence, with no self-insured retention.

5. Professional Educators Errors and Omissions liability coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

6. Sexual Molestation and Abuse coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.

7. Employment Practices Legal Liability coverage with limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

8. Excess/umbrella insurance with limits of not less than $10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School’s insurance shall be primary despite any conflicting provisions in the Charter School’s policy.

Evidence of Insurance

The Charter School shall furnish to the District’s Division of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28th Floor, Los Angeles CA 90017 within 30 days of all new policies inceptions, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:
"The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District."

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.

Should the Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the District and its purchase shall be the responsibility of the Charter School.

Facilities
The Charter School intends to continue operating at its current location at 2540 East 58th Street, Huntington Park, California.

District-Owned Facilities: If Charter School is using LAUSD facilities as of the date of the submittal of this charter petition or takes occupancy of LAUSD facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by LAUSD for the use of the LAUSD facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any LAUSD facilities, Charter School shall execute an agreement provided by LAUSD for the use of LAUSD facilities prior to occupancy and commencing use.

Charter School agrees that occupancy and use of LAUSD facilities shall be in compliance with applicable laws and LAUSD policies for the operation and maintenance of LAUSD facilities and furnishings and equipment. All LAUSD facilities (i.e., schools) will remain subject to those laws applicable to public schools which LAUSD observes.

In the event of an emergency, all LAUSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of LAUSD facilities with other LAUSD user groups, Charter School agrees it will participate in and observe all LAUSD safety policies (e.g., emergency chain of information, participate in safety drills).

The use agreements provided by LAUSD for LAUSD facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- Use. Charter School will be restricted to using the LAUSD facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the charter petition and incidental related uses. LAUSD shall have the right to inspect LAUSD facilities upon reasonable notice to Charter School.
- **Furnishings and Equipment.** LAUSD shall retain ownership of any furnishings and equipment, including technology, ("F&E") that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.

- **Leasing; Licensing.** Use of the LAUSD facilities by any person or entity other than Charter School shall be administered by LAUSD. The parties may agree to an alternative arrangement in the use agreement.

- **Minimum Payments or Charges to be Paid to LAUSD Arising From the Facilities.**
  
  (i) **Pro Rata Share.** LAUSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and

  (ii) **Taxes; Assessments.** Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.

- **Maintenance & Operations Services.** In the event LAUSD agrees to allow Charter School to perform any of the operation and maintenance services, LAUSD shall have the right to inspect the LAUSD facilities and the costs incurred in such inspection shall be paid by Charter School.

  (i) **Co-Location.** If Charter School is co-locating or sharing the LAUSD facilities with another user, LAUSD shall provide the operations and maintenance services for the LAUSD facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

  (ii) **Sole Occupant.** If Charter School is a sole occupant of LAUSD facilities, LAUSD shall allow the Charter School, at its sole cost and expense, to provide some operations and maintenance services for the LAUSD facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E.

  NOTWITHSTANDING THE FOREGOING, LAUSD shall provide all services for regulatory inspections, which as the owner of the real property is required to submit, and deferred maintenance and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

- **Real Property Insurance.** Prior to occupancy, Charter School shall satisfy those requirements to participate in LAUSD’s property insurance or, if Charter School is
the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall not have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

NON-DISTRICT-OWNED FACILITIES

**Facility status:** The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration or addition to the proposed charter school facility. The Charter School shall implement any corrective actions, orders to comply, or notices issued by the authorized building and safety agency. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements. Charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

**Occupancy of the Site:** The charter petitioner or developer shall provide the District with a final Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The Charter School may not open without providing a copy of the Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met for the designated use of the facility. If the Charter School moves or expands to another facility during the term of this charter, the Charter School shall provide a Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met to the District for each facility before the Charter School is scheduled to open or operate in the facility or facilities. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

**Pest Management:** The Charter School will comply with the Healthy Schools Act, California Education Code Section 17608, which details pest management requirements for schools. Developers may find additional information at: [www.laschools.org/employee/mo/ipm](http://www.laschools.org/employee/mo/ipm)

**Asbestos Management:** The charter school will comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA),
40 CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

**Administrative Services**

Aspire has an experienced administrative staff that handles a variety of “back office” services like payroll, accounting, and purchasing. Aspire will be responsible for all of its own personnel salary and benefit plans, provisions and costs. In the event that any administrative services are to be provided by the District, the specifics will be agreed to in a Memorandum of Understanding between Aspire and the District.

**Hold Harmless/Indemnification Provision**

To the fullest extent permitted by law, the Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever, arising out of, or relating to this Charter agreement. The Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by the Charter School, and their officers, directors, employees or volunteers. Moreover, the Charter School agrees to indemnify and hold harmless the District for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.

**Potential Civil Liability Effects**

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

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the Charter School if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including meetings, reporting, or other authorizer-requested protocol to ensure the District shall not be liable for the operation of the Charter School.
The corporate bylaws of Aspire shall provide for indemnification of the Aspire’s Board, officers, agents, and employees, and Aspire will purchase general liability insurance, Board Members and Officer’s insurance, and fidelity bonding to secure against financial risks. Insurance coverage may be made by joint powers authority authorized to conduct business in the State of California and limits will set at commercially reasonable levels. A copy of Aspire’s Evidence of Insurance is attached in Appendix K. The District shall be named as an additional insured and Aspire will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

**District Oversight Costs**

The District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 1% of the Charter School’s revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if the Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time. The supervisory oversight fee provided herein is separate and distinct from the charges arising under the charter school/facilities use agreements.

**Cash Reserves**

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, Title 5 of the California Code of Regulations.

**Special Education Revenue Adjustment/Payment for Services**

In the event that the Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State's adjustment to allocation of special education revenues from the Charter School, the Charter School authorizes the District to deduct any and all of the in lieu property taxes that the Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. The Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to the Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, the Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.

**AUDIT AND INSPECTION OF RECORDS**

Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- Charter School is subject to District oversight.

- The District’s statutory oversight responsibility continues throughout the life of the Charter and requires that it, among other things, monitors the fiscal
condition of the Charter School.

- The District is authorized to revoke this Charter for, among other reasons, the failure of the Charter School to meet generally accepted accounting principles or if it engages in fiscal mismanagement.

Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the District Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter agreement,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of the Charter School's financial information,
- The Charter School's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- The Charter School's enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

The Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hour notice.

INTERNAL FISCAL CONTROLS

The School will develop and maintain internal fiscal control policies governing all financial activities.

APPORTIONMENT ELIGIBILITY FOR STUDENTS OVER 19 YEARS OF AGE

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. EC 47612(b)

Financial Statements

Attached, in TAB 6e, please find the following documents for the Charter School:

- Budget assumptions
- 3-year budget and cash flow
• 3-year budgeted Profit & Loss Statement

Aspire has been receiving funding pursuant to provisions of the California Education Code as it has opted to be direct-funded. Any funds due to the Charter School that flow through the District shall be forwarded to Aspire in a timely fashion.

**Local Control and Accountability Plan**

In accordance with California Education Code §§ 47604.33 and 47606.5, Charter School shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (i)” of EC § 47606.5(a). These expenditures shall be “classified using the California School Accounting Manual pursuant to Section 41010.” EC § 47606.5(b)

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**APPENDIX**

A. Personalized Learning Plan  
B. Aspire Plan to Transition to Common Core State Standards  
C. Mapping of Previous ELD Standards to Instructional Guidelines  
D. Aspire 504 Procedures  
E. Proof of LEA SELPA Membership  
F. Proof of Tax-exempt Status  
G. Organizational Chart  
H. Discrimination and Harassment Policy  
I. Educator Evaluation Tools  
J. Health and Safety Plan  
K. Evidence of Insurance Coverage  
L. Instructional Guidelines (Pacing Guides)
Supporting Documents submitted to the District

1) Letter of Intent
2) Charter Briefing
3) Initial Screening Checklist
4) Bylaws
5) Articles of Incorporation
6) Conflict of Interest Policy
7) Lottery and Registration Forms
8) Resumes of Lead Petitioners
9) Board Questionnaires and Resumes
10) Aspire Public Schools Board Resolution

Renewal Petition Appendix

A. Personalized Learning Plan
B. Aspire Plan to Transition to Common Core State Standards
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I. Educator Evaluation Tools
J. Health and Safety Plan
K. Evidence of Insurance Coverage
L. Instructional Guidelines (Pacing Guides)
SUPPORTING DOCUMENT 1

Letter of Intent
Letter of Intent to Apply for a Charter Renewal

Name of charter school: Aspire - OLLIN University Preparatory Academy

General location of proposed charter: 2540 E. 58th Street, Huntington Park, CA 90255

Projected Grade Levels - Year 1: 7-10
Projected Grade Levels - Year 5: 6-12

Projected Enrollment - Year 1: 550
Projected Enrollment - Year 5: 550

Lead Petitioner Information:

Name: Elise Darwish
Address: 2540 E. 58th Street, Huntington Park, CA 90255
Phone number(s): 323-277-2901
Fax: 323-583-7271
E-mail address: elise.darwish@aspirepublicschools.org

Other members of the Charter Development team:

Michelle Florendo
Margaret de Moreno

Certification:

☑ I/we certify that we are interested in applying for a charter within LAUSD boundaries.

☑ I/we have participated in the Orientation Meeting given by the LAUSD Charter Schools Division

☑ I/we did not participate in the Orientation Meeting given by the LAUSD Charter Schools Division

Elise Darwish
PRINT NAME
SIGNATURE
DATE

October 28th, 2013

Received by:

PRINT NAME
SIGNATURE
DATE
CHARTER BRIEFING PAGE
ASPIRE – OLLIN UNIVERSITY PREPARATORY ACADEMY

- Name of Organization Applying for Charter:
  Aspire Public Schools

- Projected Grades Served - Year 1: 7 - 10  Grades Served – Year 5: 6 - 12

- Projected Enrollment Year 1: 550  Number of Students – Year 5: 550

- Location Address or Target Neighborhood
  2540 E. 58th Street, Huntington Park, CA 90255

- Facility Status/Location
  The facility belongs to Aspire Public Schools

- Prop. 39 – Application Submitted?
  NO

- Does the location meet Board Policy? (Low API, Overcrowded)
  Yes, the surrounding neighborhood schools are overcrowded.

- Board of Directors/Executive Committee
  Beth Hunkapiller  President, San Carlos School District Board
  Steven Merrill  Partner, Benchmark Capital
  Bill Hughson  Independent Consultant
  Richard Spalding  Thomas Weisel Healthcare Venture Partners
  Louise Muhlfeld  Human Resources Consultant
  Jonathan Garfinkel  TPG Equity
  Greg Jones  Retired

- Description of Mission
  Open and operate small, high-quality charter schools in low-income neighborhoods, in order to:
  ◦ Increase the academic performance of underserved students
  ◦ Develop effective educators
  ◦ Share successful practices with other forward-thinking educators, and
  ◦ Catalyze change in public schools
Description of Vision

Every student is prepared to earn a college degree

Source/Core of Money

State funding, Federal funding

3 – 5 Top Leaders

Jennifer Garcia, Principal
Elise Darwish, Acting Area Superintendent of Aspire Public Schools
James Willcox, CEO of Aspire Public Schools

Has your charter applied to any other jurisdiction for approval?

No.

Are there any sister charters?

Yes. Aspire Public Schools currently holds 11 other charters with LAUSD: Aspire- Antonio Maria Lugo Academy, Aspire-Centennial College Prep. Academy, Aspire – Firestone Academy, Aspire – Gateway Academy, Aspire- Huntington Park Charter, Aspire-Inskeep Academy, Aspire-Junior Collegiate Academy, Aspire-Pacific Academy, Aspire-Slauson Academy, Aspire-Tate Academy, Aspire-Titan Academy

What innovative elements of your charter could be considered “best practices” and replicated by other schools?

Cycle of Inquiry: The School will use standards-based assessments every two to three weeks. The results from these assessments are discussed at grade level meetings with established protocols. Instructional strategies for reteaching standards are generated at these meetings, as well as ideas for interventions for students.

College for Certain culture: The School will have a college-going culture through artifacts, rituals and high academic expectations. For instance, all classrooms are named after universities with the year the class will graduate from college above the door. The students will do their college cheers at every school gathering. Students receiving special recognition for outstanding service or academics will be allowed to wear college t-shirts instead of the uniform. Aspirations for college will be set early in the student’s school careers.

October 18th, 2013
SUPPORTING DOCUMENT 3

Initial Screening Checklist
## CHARTER SCHOOLS GUIDELINES CHECKLIST – INITIAL SCREENING

**Charter School Name:** Aspire – OLLIN University Prep. Academy  
**Date:** November 15th, 2013  
**Contact Person:** Margaret de Moreno  
**Phone No.:** 323-826-9616  
**Fax No.:** 323-586-0000

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<td>1. Approval Documentation</td>
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<td>• start-up charter: 50% of parents who intend to enroll children</td>
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<td>• 50% of teachers who intend to be employed at the school</td>
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<td>practices and other operations</td>
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<td>employee to work at a charter school</td>
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<td>graduating or completing the school year for any reason, the</td>
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<td>charter school shall notify the superintendent of the school</td>
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<td>district of the pupil's last known address within 30 days, and</td>
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<td>of the cumulative record of the pupil, including a transcript</td>
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<td>of grades or report card, and health information.</td>
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<td>• A charter school shall admit all students who wish to attend.</td>
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| 10   | 3. Description of which students will attend the school | 47605 (d) (1)
|      |      |     |    |     |    | 47605 (d) (2) (A) (B) |
| 1, 95| 4. Duration of initial charter petition: 5 years | 47607 (a) (1) |
|      | 5. Renewal process/timeline | 47607 (a) (1) (2) |
| 39, 40| 6. How the Board of Education and the charter school can monitor the progress in meeting student outcomes | 47607 (a) (1)
|      |      |     |    |     |    | 47607 (b) |
| 88   | 7. Accepts and understands the grounds on which a charter may be revoked | 47607 (b) (1-4) (c) |
| 5    | 8. Accepts and understands obligations to comply with specific sections of the Education Code: § 47611 (STRS) and 41365 (Revolving Loan Fund), and all laws establishing minimum age for public school attendance | 47610 |
| N/A  | 9. How district/county facilities will be maintained, insured and used by the charter school, if applicable | 47605 (g)
|      |      |     |    |     |    | 47614 |
| N/A  | 10. How changes, additions or alterations to the facility will be accomplished and the district/county role in the process | 47607 (a) (1) |
| 101  | 11. How school personnel, district/county will be insured against liability claims resulting from school operations
       - description of type/scope of legal services to be used
       - plans for insurance liability and legal issues to be dealt with collectively and individually | 47605 (g) |
| 101, 103| 12. Agreement between the charter school and the sponsoring agency detailing process and responsibility for operations, i.e., accounting, budgeting, payroll, liability insurance, and the like and contracted services and supervisory oversight | 47605 (g)
<p>|      |      |     |    |     |    | 47613.7 |
| 4, 102| 13. Agreement between the charter school and sponsoring agency detailing funding and services for special education students | 47612 (a) (2) |
| 101, 103| 14. Agreement between the charter school and sponsoring agency detailing operational funding levels | 47613.5 (a) |
| 101, 103| 15. Agreement between the charter school and sponsoring agency detailing processes for responding to inquiries | 47604.3 |</p>
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<td>8</td>
<td>1. Description of the educational program of the school <em>(Element 1)</em></td>
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<td>47605 (b) (5) (A)</td>
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<td>• an identification of those whom the school is attempting to educate</td>
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<td>• description of what it means to be an educated person in the 21st century</td>
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<td>• how learning best occurs</td>
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<td>• goals of the program</td>
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<td>• how the objective of enabling pupils to become self-motivated, competent, life-long learners will be met by the school</td>
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<td>• instructional framework which includes instructional approaches, scope and sequence, addressing state standards, and evidence (research-based) that instructional program has been successful with similar student population.</td>
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<td>39</td>
<td>2. Measurable student outcomes to be achieved by students (<em>Element 2</em>)</td>
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<td>• extent to which all pupils demonstrate that they have attained skills,</td>
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<td>knowledge and attitudes specified as goals</td>
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<td>• when and how often pupil outcomes will be assessed including any</td>
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<td>assessments of innovative components</td>
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<td>• specific quantitative outcomes which students must demonstrate</td>
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<td>proficiency in and/or progress toward and timeframe for progress</td>
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<td>• identification of who will be accountable for student progress as</td>
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<td>it relates to student achievement</td>
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<td>• reference to NCLB</td>
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<td>• CAHSEE (HS only)</td>
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<td>• graduation rate (HS only)</td>
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| 40   | 47. Method by which pupil progress in meeting pupil outcomes is measured (*Element 3*) |
|      | • use of standardized test scores in measuring pupil progress        |
|      | • use of variety of assessment tools                                 |
|      | • use of longitudinal, survey and other data in measuring pupil     |
|      | progress (in-house assessments)                                      |
|      | • methods to ensure that all statewide standards are met and         |
|      | pupil assessments conducted                                         |
|      | • process school will use to ensure that students meet the statewide |
|      | performance standards and evidence of improved pupil learning       |
|      | • process for conducting pupil assessments pursuant to EC § 60602.5  |
|      | • description of all assessment tools including in-house assessments |
|      | • identification of the grading policy                               |
|      | • district required language for testing                             |

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<td>4. Governance structure of the school including the process which is to be followed to ensure parent involvement: <em>(Element 4)</em></td>
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<td>49. process which ensures staff, students and other stakeholder involvement</td>
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<td>50. methods by which schools consult with parents and teachers regarding school's educational programs</td>
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<td>50. decision-making process, organizational chart, and relevant site committees</td>
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<td>48. assurances that school will comply with all laws relating to public agencies in general, all federal laws and regulations and state codes, such as the Ralph M. .. Brown Act</td>
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<td>48. what, if any, relationships district/county will maintain with the charter school and how it will be accomplished</td>
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<td>48. process for amendments to charter</td>
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<td>48. articles of incorporations and bylaws of nonprofit corporation</td>
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<td>48. selection process of board members and governance committees</td>
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<td>48. audit and inspection of records</td>
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<td>48. district required language for governance</td>
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<td>5. Qualifications to be met by individuals to be employed by the school <em>(Element 5)</em></td>
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<td>53. process for staff selection</td>
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<td>53. job descriptions for positions</td>
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<td>53. credentials, requirements and qualifications of staff</td>
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<td>53. employee compensation-general description</td>
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<td>55. identification of the roles and functions of staff members</td>
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<td>55. measures of assessment of performance</td>
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<td>57. procedure to be used for adequate background checks</td>
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<td>57. process for recruiting teachers</td>
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<td>57. procedure for monitoring credentials</td>
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| 57   | 6. Procedures that the school will follow to ensure the health and safety of pupils and staff *(Element 6)*  
- school will meet the requirement that each employee of the school furnish a criminal record summary as required in EC §44237  
- how the school will ensure that its facilities are safe  
- how the school will ensure that its auxiliary services are safe (food services, transportation, custodial services, hazardous materials)  
- role of staff as mandated or non-mandated child abuse reporters  
- TB requirements  
- employee fingerprints  
- student immunization requirement  
- address of the facilities to be used by the charter school  
- compliance with state building code, federal ADA requirements  
- assurance of Certificate of Occupancy prior to school opening  
- contains District required language regarding health and safety procedures | YES | NO | YES | NO | 47605 (b) (5) (F) 47605(g) |
| 61   | 7. Means by which school will achieve racial and ethnic balance among its pupils that reflects the general population residing within the district/county jurisdiction *(Element 7)*  
- geographic areas that will be targeted in the outreach effort  
- state languages to be utilized in the outreach  
- district required language for this element | | | | | 47605 (b) (5) (G) |
| 65   | 8. Admission requirements, if any *(Element 8)*  
- admission assurances preferences  
- lottery assurance and procedures  
- waiting list  
- preference (if applicable)  
- states the charter school will admit all pupils who wish to attend  
- efforts the school will employ to recruit academically low-achieving, students with disabilities, and economically disadvantaged students | | | | | 47605 (b) (5) (H) |
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<td>68</td>
<td>9. Manner in which an annual independent financial audit will be conducted and exceptions/deficiencies resolved (Element 9)</td>
<td>NO</td>
<td>YES</td>
<td></td>
<td>47605 (b) (5) (I)</td>
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<td>10. Procedures by which students can be suspended or expelled (Element 10)</td>
<td>NO</td>
<td>NO</td>
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<td>- procedure for involving parents, students and staff in designing and implementing a discipline policy</td>
<td>NO</td>
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<td>- due process for students</td>
<td>NO</td>
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<td>- appeals of disciplinary action</td>
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<td>- procedures for ensuring rights of students</td>
<td>NO</td>
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<td>- list of suspension and expulsion offenses</td>
<td>NO</td>
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<td>- suspension and expulsion procedure</td>
<td>NO</td>
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<td>- general discipline approach</td>
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<td>- procedures for rehabilitation re-admission and interim placement</td>
<td>NO</td>
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<td></td>
<td>- district required language regarding special education students</td>
<td>NO</td>
<td>NO</td>
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<td></td>
<td>- Description of how the school will implement the District’s Discipline Foundation Policy</td>
<td>NO</td>
<td>NO</td>
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<td>82</td>
<td>11. Procedures for dealing with staff issues (Element 11)</td>
<td>NO</td>
<td>NO</td>
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<td>47605 (b) (5) (K)</td>
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<td></td>
<td>- relationship between the teachers and the district/county bargaining unit</td>
<td>NO</td>
<td>NO</td>
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<td></td>
<td>- process by which salaries, benefits working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined</td>
<td>NO</td>
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<td>- labor procedures which will be applied to employees</td>
<td>NO</td>
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<td>- process for resolving complaints/grievances</td>
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<td>- process for ensuring due process manner by which staff members will be covered by STRS, PERS, Social Security or Medicare</td>
<td>NO</td>
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<td>- process for staff recruitment, selection, evaluation and termination</td>
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<td>- Reporting PERS/STRS contributions</td>
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<td>12. Public school attendance alternatives for pupils residing within the district/county who choose not to attend the charter school <em>(Element 12)</em></td>
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<td>47605 (b) (5) (L)</td>
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<td>- inform parents or guardians of each pupil enrolled in the charter that pupil has no right to admission in a non-charter District school as a consequence of charter school enrollment</td>
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<td>- not require any child to attend a charter school nor any employee to work at a charter school</td>
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<td>- District required language regarding attendance alternatives</td>
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<td>13. Description of the rights of any employee of the district/county upon leaving the district/county to work in a charter and rights of return to the district/county after employment in a charter school <em>(Element 13)</em></td>
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<td>- what the employment status relative to the district/county of charter school employees is and what it will be in the event the charter school ceases or in the event employees seek employment in the district/county</td>
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<td>14. Procedures to resolve disputes relating to provisions of the charter <em>(Element 14)</em> See LAUSD “District Required” Language</td>
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<td>- District required language regarding the dispute resolution procedures</td>
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<td>15. Declaration of Exclusive Public School Employer <em>(Element 15)</em></td>
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<td>16. Description of charter school closure procedures. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records <em>(Element 16)</em></td>
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<td>47605 (6) A (ii) O</td>
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<td>- District required language regarding charter school renewal, revocation, and closing procedures</td>
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| 100  | Other Items:  
17. Description of the manner in which administrative services of the school are to be provided  
• responsibility for evaluating employees  
• criteria and procedures used in evaluation  
• how hiring decisions are made | | | 47605 (g) |
| 18. | Budget for the financial operation which is consistent with the requirements of any school district budget  
TAB 6e.  
• proposed first year operational budget (including start-up costs)  
TAB 6e.  
• financial projections for first three years  
• process for investment procedures and deposit of funds  
• procedure for ensuring adequate cash flow  
• process for assuring that resources will be available to meet the needs of students with disabilities including transportation in those cases it is a related service | | | 47605(g) |
| 89   | 19. Liability of district/county to handle payments if charter school defaults  
• for schools organized pursuant to Non-Profit Benefit Corporation Law  
• for schools not covered by Non-Profit Benefit Corporation Law  
• AB 1994  
• general assurances “District Required” language | | | 47604 |

* PAGE: Petitioner to identify page(s) in petition in which items are located
SUPPORTING DOCUMENT 4

Bylaws
AMENDED AND RESTATED BYLAWS OF ASPIRE PUBLIC SCHOOLS,  
a California Nonprofit Public Benefit Corporation

ARTICLE 1: OFFICES

Section 1.1 Principal Office

The principal office for the transaction of the business of the Corporation shall be located at 1001 – 22nd Avenue, Oakland, California, in Alameda County, California. The Board of Directors may change the principal office from one location to another, and this section shall be amended accordingly.

Section 1.2 Other Offices

The Board of Directors may at any time establish branch offices, either within or outside the State of California, in order to advance the proper purposes of the Corporation.

ARTICLE 2: OBJECTIVES AND PURPOSES

This Corporation has been formed under the California Nonprofit Public Benefit Corporation Law for the purposes stated in the Articles of Incorporation, including any amendments thereto. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign of or in opposition to any candidate for public office.

ARTICLE 3: DEDICATION OF ASSETS

The properties and assets of this Corporation are irrevocably dedicated to public benefit and/or charitable purposes. No part of the net earnings, properties, or assets of this Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or any Director or Officer of this Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable
purposes and which has established its exempt status under Internal Revenue Code §501(c)(3).

ARTICLE 4: NO MEMBERS

This Corporation shall have no members within the meaning of the California Nonprofit Public Benefit Corporation Law. All rights which would otherwise by law vest in the members shall vest in the Board.

ARTICLE 5: DIRECTORS

Section 5.1  Powers

(a) General Corporate Powers. The business and affairs of the Corporation shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors.

(b) Specific Powers. Without prejudice to their general powers, the Directors shall have the power to:

   (i) Select and remove the Officers of the Corporation; prescribe any powers and duties for them that are consistent with the law, with the Articles of Incorporation, and with these Bylaws; and fix their compensation, if any.

   (ii) Change the principal executive office or the principal business office in the State of California from one location to another; cause the Corporation to be qualified to do business in any other state, territory, dependency, or country, and conduct business within or outside the State of California; and designate any place within the State of California for the holding of any meeting.

   (iii) Borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation’s purposes, in the Corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt.

   (iv) Adopt, make, and use a corporate seal and alter the form of the seal.

Section 5.2  Number of Directors

The number of Directors shall be not less than three (3) nor more than eleven (11), with the exact authorized number of Directors to be determined by the Board from time to time.
Section 5.3 Board of Directors; Term of Office.

(a) The members of the Board of Directors are those persons whose names are attached to these Bylaws as Exhibit A. The Directors shall each serve until the later of the date of Annual Meeting designated beside his or her name in Exhibit A, or the date his or her successor is elected. Subsequent Directors shall be elected by a majority vote of the Directors at each Annual Meeting, including the vote(s) of any Director whose term of office expires with that meeting. A term may not exceed six (6) years.

(b) The Chairperson of the Board shall be selected by a majority vote of the Directors following the appointment or election of Directors at each Annual Meeting.

(c) A vacancy on the Board shall occur in the event of (i) the death, resignation or removal of any Director; (ii) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court of competent jurisdiction to have breached a duty under the California Nonprofit Public Benefit Corporation Law; (iii) the failure of the Board of Directors, at any meeting at which any Director is to be elected, to elect the number of Directors required to be elected at such meeting; or (iv) the increase in the number of Directors. Vacancies on the Board of Directors may be filled by approval of the Board of Directors or, if the number of Directors is less than a quorum, by (i) the unanimous consent of the Directors then in office, (b) the affirmative vote of the majority of Directors then in office at a meeting held a corded to notice in compliance with the provisions of the Ralph M. Brown Act, or (c) a sole remaining Director.

(d) Except as designated below, any Director may resign by giving written notice to the Chairperson of the Board, to the Secretary, or to the Board of Directors. The resignation shall be effective when notice is given unless the notice specifies a later time for the resignation to become effective. Except on notice to the California Attorney General, no Director may resign if the Corporation would be left without a duly elected Director.

(e) Any Director may be removed, with or without cause, by a vote of the majority of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of the meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act.

Section 5.4 Place of Meetings

Meetings shall be conducted at the principal office of the Corporation. The Board of Directors may also designate that a meeting be held at any place within California that has been identified notice in compliance with the provisions of the Ralph M. Brown Act.
Section 5.5  Meetings; Annual Meeting

All meetings of the Board of Directors, including the Annual Meeting, shall be called, noticed and held in compliance with the provisions of the Ralph M. Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. The Annual Meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors.

Section 5.6  Regular Meetings

Regular meetings of the Board of Directors, including the Annual Meeting, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least seventy-two (72) hours before a regular meeting, the Board of Directors, or its designee, shall post an agenda containing a brief description of each item of business to be transacted or discussed at the meeting.

Section 5.7  Special Meetings

(a) Special meetings of the Board of Directors for any purpose may be called at any time by the Chairperson of the Board, the President, or any two (2) Directors. The party calling a special meeting shall determine the place, date and time. In accordance with the Ralph M. Brown Act, special meetings may be held only after twenty-four (24) hours notice is given to each Director and to the public through the posting of an agenda containing a description of the general nature of the business proposed. Pursuant to the Ralph M. Brown Act, the Board of Directors shall adhere to the following notice requirements for special meetings:

(b) Any such notice shall be addressed or delivered to each Director at the Director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the Director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Directors is regularly held.

(c) Notice by mail or email shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

(d) The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other
than the business the general nature of which was set forth in the notice, may be transacted at a special meeting.

Section 5.8 Quorum

During open session, a majority of the directors then in office shall constitute a quorum. For purposes of closed session, a majority of the directors then in office and eligible to vote on the closed session item shall constitute a quorum. All acts or decisions of the Board of Directors shall be by majority vote based upon the presence of a quorum. Should there be fewer than a majority of Directors present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy.

Section 5.9 Telephone Conference Meetings

Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Ralph M. Brown Act are followed:

(a) At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school districts in which the Corporation's schools operate;

(b) All votes taken during a teleconference meeting shall be by roll call;

(c) If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;

(d) All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;

(e) Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference locations; and

(f) The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

Section 5.10 Adjournment

A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given, unless the meeting is adjourned for more than twenty-four (24) hours, in which case notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to
the Directors who were not present at the time of the adjournment, and to the public in
the manner prescribed by the provisions of the Ralph M. Brown Act.

Section 5.11  Compensation of Directors

Directors shall serve without compensation except that they shall be allowed
reasonable advancement or reimbursement of actual reasonable expenses incurred in
carrying out his or her duties. Directors shall not otherwise be compensated.

Section 5.12  Restriction on Employee Directors

No current employees of the Corporation may serve on the Board of Directors.
The Board of Directors may adopt other policies circumscribing potential conflicts of
interest.

Section 5.13  Non-Liability of Directors

No Director shall be personally liable for the debts, liabilities or other obligations
of this Corporation.

Section 5.14  Contracts with Non-Director Designated Employees

This Corporation shall not enter into a contract or transaction in which a non-
Director designated employee directly or indirectly has a material financial interest
unless all of the requirements of the Corporation's Conflict of Interest Policy have been
fulfilled.

Section 5.15  Compliance with Laws Governing Student Records

This Corporation and the Board of Directors shall comply with all applicable
provisions of the Family Education Rights Privacy Act ("FERPA").

Section 5.16  Non-Discrimination

This Corporation shall not discriminate on the basis of race, religion, national
origin, gender, age or sexual orientation in hiring, firing or admissions.

ARTICLE 6: COMMITTEES

Section 6.1  Committees of Directors

The Board of Directors may, by resolution adopted by a majority of the Directors
then in office, designate one or more committees consisting of two (2) or more
Directors, and only of directors, to serve at the pleasure of the Board. Meetings of
committees shall comply with the provisions of the Ralph M. Brown Act, including those
provisions concerning advisory committees as set forth therein. Minutes of each such
meeting shall be kept and filed with the corporate records. Any committee, to the extent provided in the resolution of the Board, shall have all or a portion of the authority of the Board, except that no committee, regardless of the Board resolution, may:

(a) Take any final action on any matter that under the California Nonprofit Public Benefit Law also requires approval of the members or approval by a majority of the members;

(b) Fill vacancies on the Board of Directors or on any committee;

(c) Amend or repeal the Articles of Incorporation or Bylaws or adopt new Bylaws;

(d) Amend or repeal any resolution of the Board that by its express terms is not so amendable or subject to repeal;

(e) Designate any other committee of the Board or appoint the members of any committee;

(f) Approve any transaction (i) to which the Corporation is a party and as to which one or more Directors has a material financial interest, or (ii) between the Corporation and one or more of its Directors or between the Corporation and any corporation or firm in which one or more of its Directors has a material financial interest.

Section 6.2 Executive Committee

The Board may appoint two (2) or more Directors and the Chairperson to serve as the Executive Committee of the Board. The Chairperson shall serve as chairperson of the Executive Committee. The Executive Committee, unless limited by a resolution of the Board, shall have and may exercise all the authority of the Board in the management of the business and affairs of the Corporation between meetings of the Board.

Section 6.3 Compensation Committee and Compensation Review

At any time this Corporation compensates its CEO or CFO, the Corporation shall have a Compensation Committee consisting of at least three (3) Directors and exclusively of Directors. Directors who are also employees of the Corporation may not serve on the Compensation Committee. The Compensation Committee shall review the compensation of the CEO and CFO, as well as of such other Officers of the Corporation as the Compensation Committee determines appropriate. This review shall occur when such officer is hired, when the term of employment of such officer is renewed or extended, and when the compensation of such officer is modified, unless the modification applies to substantially all of the employees of this corporation. Based on its review, the Compensation Committee shall recommend just and reasonable compensation amounts to the Board. At the request of the CEO or the Board, the Compensation Committee shall review any issue involving staff compensation and benefits, including but not limited to housing, health, and retirement plans.
Section 6.4 Audit Committee

At all times that this Corporation is required by applicable law to have an independent audit, or at any time the Corporation voluntarily chooses to do so, the Corporation shall have an Audit Committee consisting of at least three (3) Directors and may include nonvoting advisors. The Audit Committee shall perform the duties and adhere to the guidelines set forth from time to time by the Board. These duties include, but are not limited to: (i) assisting the Board in choosing an independent auditor and recommending termination of the auditor, if necessary, (ii) negotiating the auditor’s compensation, (iii) conferring with the auditor regarding the Corporation’s financial affairs, and (iv) reviewing and accepting or rejecting the audit. Members of the Audit Committee shall not receive compensation for their service on the Audit Committee. If the Corporation has a Finance Committee, a majority of the members of the Audit Committee may not concurrently serve as members of the Finance Committee, and the Chair of the Audit Committee may not serve on the Finance Committee.

Section 6.5 Advisory Committees

The Board may establish one or more Advisory Committees to the Board. The members of any Advisory Committee may consist of Directors or nondirectors. Advisory committees may not exercise the authority of the Board to make decisions on behalf of the corporation, but shall be limited to making recommendations to the Board or the Board’s authorized representatives and to implementing Board decisions and policies. Advisory Committees shall be subject to the supervision and control of the Board.

Section 6.6 Meeting and Action of Committees

The Board of Directors may adopt rules for any committee not inconsistent with the provisions of these Bylaws.

ARTICLE 7: OFFICERS

Section 7.1 Officers

The Corporation shall have the following Officers: Chief Executive Officer (CEO), Secretary, Chief Financial Officer (CFO), and any Officers as the Board may designate. Officers need not be Directors. One person may hold two or more offices, except those of CEO and Secretary, and CEO and CFO.

Section 7.2 Election of Officers

The officers of the corporation shall be chosen by the Board of Directors, and each shall serve at the pleasure of the Board.
Section 7.3 Removal of Officers

The Board of Directors may remove any officer with or without cause. An officer who was not chose by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the powers of removal.

Section 7.4 Resignation of Officers

Any Officer may resign at any time by giving written notice to the Board of Directors, the CEO, or the Secretary of the Corporation. Any resignation shall take effect at the date of receipt of that notice or at any later time specified in that notice. Unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation shall be without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

Section 7.5 Vacancies in Office

A vacancy in any Office because of death, resignation, removal, disqualification, or any other cause shall be filled only in the manner prescribed in these Bylaws for regular appointments to that Office.

Section 7.6 Responsibilities of Officers

(a) Chief Executive Officer (CEO). The CEO has shall be the general manager of the Corporation and shall supervise, direct and control the Corporation's activities, affairs, and officers. The CEO shall be responsible to the Board of Directors, shall see that the Board is advised on all significant matters of the Corporation's business, and shall see that all orders and resolutions of the Board are carried into effect. The President shall be empowered to act, speak for, or otherwise represent the Corporation between meetings of the Board. The CEO shall perform other duties as may be prescribed by the Board of Directors or the Bylaws.

(b) Secretary. The Secretary shall keep or cause to be kept, at the Corporation’s principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings and actions of Directors and committees of Directors. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, or special, and if special, how authorized; the notice given; and the names of those Directors present at such meetings. The Secretary shall keep or cause to be kept a copy of the Articles of Incorporation and Bylaws, as amended to date. The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors required by the Bylaws to be given. The Secretary shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.

(c) Chief Financial Officer (CFO). The CFO shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of the Corporation. The books of account shall be
open to inspection by any Director at all reasonable times. The CFO shall deposit all money and other valuables in the name and to the credit of the Corporation with such depositors as may be designated by the Board of Directors; shall disburse funds of the Corporation as may be ordered by the Board of Directors; shall render to the CEO and Directors, whenever they request it, an account of all financial transactions and of the financial condition of the Corporation; and shall have other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws. If required by the Board of Directors, the CFO shall give the Corporation a bond in the amount and with the surety specified by the Board for the faithful performance of the duties of his or her office and for restoration to the Corporation of all its books, papers, vouchers, money, and other property of every kind in his or her possession or under his or her control on his or her death, resignation, retirement, or removal from office.

ARTICLE 8: RECORDS AND REPORTS

Section 8.1 Maintenance of Articles and Bylaws

The Corporation shall keep at its principal executive office the original or a copy of its Articles and Bylaws as amended to date.

Section 8.2 Maintenance of Other Corporate Records

The accounting books, records, and minutes of the proceedings of the Board of Directors and any committee(s) of the Board of Directors shall be kept at such place or places designated by the Board of Directors, or, in the absence of such designation, at the principal executive office of the Corporation. The minutes shall be kept in written or typed form, and the accounting books and records shall be kept in either written or typed form or in any other form capable of being converted into written, typed, or printed form.

Section 8.3 Inspection by Directors

Every Director shall have the absolute right at any reasonable time to inspect all books, records, and documents of every kind and the physical properties of the Corporation and each of its subsidiary corporations. This inspection by a Director may be made in person or by an agent or attorney, and the right of inspection includes the right to copy and make extracts of documents. This right of inspection may be limited by FERPA or other such similar laws.

Section 8.4 Annual Report

Within 120 days after the end of the Corporation's fiscal year, the CEO shall furnish or cause to be furnished a written report to all Directors containing the following information:
(a) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year;

(b) The principal changes in assets and liabilities, including trust funds, during the fiscal year;

(c) The revenue or receipts of the Corporation, both unrestricted and restricted for particular purposes, for the fiscal year;

(d) The expenses or disbursements of the Corporation, for both general and restricted purposes, during the fiscal year;

(e) Any transaction during the previous fiscal year involving more than $50,000 in which the Corporation (or its parent or subsidiaries, if any) was a party and in which any Director or Officer of the Corporation has a direct or indirect financial interest, or any of a number of such transactions in which the same person had a direct or indirect financial interest and which transactions in the aggregate involved more than $50,000; and

(f) Any other information required under these Bylaws.

The report shall be accompanied by any report of independent accountants or, if there is no such report, by the certificate of an authorized officer of this Corporation that such statements were prepared without an audit from the books and records of this Corporation.

Section 8.5  Financial Audit

The Corporation shall obtain a financial audit for any tax year in which it receives or accrues gross revenue of $2 million or more, excluding grant or contract income from any governmental entity for which the governmental entity requires an accounting. Any audited financial statements obtained by the Corporation, whether or not required by law, shall be made available for inspection by the Attorney General and by the general public within 9 months after the close of the fiscal year to which the statements relate. For 3 years, such statements (a) shall be available at the Corporation's principal, regional, and district offices during regular business hours and (b) shall be made available either by mailing a copy to any person who so requests in person or in writing, or by posting them on the Corporation's website.

ARTICLE 9: INDEMNIFICATION OF DIRECTORS AND OFFICERS

Section 9.1  Right to Indemnification

To the fullest extent permitted by law, this Corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any action or
proceeding by reason of the fact that such person is or was an Officer, Director, or agent of this Corporation, or is or was serving at the request of this Corporation as a Director, Officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, or other enterprise, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding, to the fullest extent permitted under the California Nonprofit Corporation Law.

In determining whether indemnification is available to the Director, Officer, or agent of this Corporation under California law, the determination as to whether the applicable standard of conduct set forth in Corporations Code §5238 has been met shall be made by a majority vote of a quorum of Directors who are not parties to the proceeding. If the number of Directors who are not parties to the proceeding is less than two-thirds of the total number of Directors seated at the time the determination is to be made, the determination as to whether the applicable standard of conduct has been met shall be made by the court in which the proceeding is or was pending.

The indemnification provided herein shall not be deemed exclusive of any other rights to which those indemnified may be entitled, and shall continue as to a person who has ceased to be an agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

Section 9.2 Insurance

This Corporation shall have the power and shall use its best efforts to purchase and maintain insurance on behalf of any Director, Officer, or agent of the Corporation, against any liability asserted against or incurred by the Director, Officer, or agent in any such capacity or arising out of the Director's, Officer's, or agent's status as such.

ARTICLE 10: CONTRACTS AND LOANS WITH DIRECTORS AND OFFICERS

Section 10.1 Contracts with Directors and Officers

(a) No Director or Officer of this Corporation, nor any other corporation, firm, association, or other entity in which one or more of this Corporation's Directors or Officers are directors or have a material financial interest, shall be interested, directly or indirectly, in any contract or other transaction with this Corporation, unless (i) the material facts regarding such Director's or Officer's financial interest in such contract or transaction and/or regarding such common directorship, officership, or financial interest are fully disclosed in good faith and are noted in the minutes, or are known to all members of the Board prior to consideration by the Board of such contract or transaction; (ii) such contract or transaction is authorized in good faith by a majority of the Board by a vote sufficient for that purpose without counting the vote or votes of such interested Director(s); (iii) prior to authorizing or approving the transaction, the Board considers and in good faith determines after reasonable investigation under the
circumstances that the Corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances; and (iv) this Corporation enters into the transaction for its own benefit, and the transaction is fair and reasonable to this Corporation at the time the transaction is entered into.

(b) The provisions of this Section do not apply to a transaction which is part of an educational or charitable program of the Corporation if it: (i) is approved or authorized by the Corporation in good faith and without unjustified favoritism; and (ii) results in a benefit to one or more Directors or Officers or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this Corporation.

Section 10.2 Loans to Directors and Officers

The Corporation shall not make any loan of money or property to or guarantee the obligation of any Director or Officer, unless approved by the Attorney General of the State of California; provided, however, that the Corporation may advance money to a Director or Officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of the duties of such Director or Officer, provided that in the absence of such advance such Director or Officer would be entitled to be reimbursed for such expenses by the Corporation.

ARTICLE 11: FISCAL YEAR

The fiscal year of the Corporation shall end on June 30.

ARTICLE 12: AMENDMENTS

These Bylaws may be adopted, amended, or repealed by a majority vote of the entire Board of Directors.

ARTICLE 13: CONSTRUCTION AND DEFINITIONS

Section 13.1 Construction and Definitions

Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the above, the masculine gender includes the feminine and neuter, the singular number includes the plural, and the plural number includes the singular.
Section 13.2   Electronic Transmission

Subject to any guidelines and procedures that the Board of Directors may adopt from time to time, the terms "written", and "in writing" as used in these Bylaws include any form of recorded message in the English language capable of comprehension by ordinary visual means and may include electronic transmissions, such as facsimile or email, provided (i) for electronic transmissions from the Corporation, the Corporation has obtained an unrevoked written consent from the recipient to the use of such means of communication; (ii) for electronic transmissions to the Corporation, the Corporation has in effect reasonable measures to verify that the sender is the individual purporting to have sent such transmission; and (iii) the transmission creates a record that can be retained, retrieved, reviewed, and rendered into clearly legible tangible form.
CERTIFICATE OF SECRETARY

I, the undersigned, the duly elected Secretary of Aspire Public Schools, a California nonprofit public benefit corporation, do hereby certify:

That the foregoing Bylaws consisting of fourteen (14) pages and the following one (1) page exhibit were adopted as the Bylaws of the Corporation by the Directors of the Corporation on March 16, 2012, and the same do now constitute the Bylaws of said Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name this on March 16th, 2012.

[Signature]

By: Stephanie Wilson
Its: Interim Secretary
SUPPORTING DOCUMENT 5

Articles of Incorporation
CERTIFICATE OF AMENDMENT AND RESTATEMENT
OF THE
ARTICLES OF INCORPORATION

James Wilcox and James Cleveland certify that:

1. They are the Chief Executive Officer and the Secretary, respectively, of Aspire Public Schools, a California nonprofit public benefit corporation.

2. The Articles of Incorporation of this corporation are hereby amended and restated as set forth in the attached Articles of Incorporation, which are incorporated by this reference as if set forth in full in this Certificate.

3. The foregoing amendment and restatement has been duly approved by this corporation's Board of Directors.

4. This corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true of our own knowledge.

DATED: 6/20/2013, 2013

James Wilcox, Chief Executive Officer

DATED: 6/20/2013, 2013

James Cleveland, Secretary
ARTICLES OF INCORPORATION
OF
ASPIRE PUBLIC SCHOOLS

ARTICLE I

The name of this corporation is Aspire Public Schools.

ARTICLE II

A. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.

B. The specific and primary purpose of this corporation is to engage in charitable and educational activities within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future United States Internal Revenue law (the "Code"), including and not limited to operating and managing public charter schools.

ARTICLE III

A. This corporation is organized and operated exclusively for exempt purposes within the meaning of Section 501(c)(3) of the Code. Notwithstanding any other provision of these Articles, this corporation shall not carry on any activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code, or (2) by a corporation, contributions to which are deductible under Sections 170(c)(2), 2055(a)(2), 2106(a)(2)(A)(II), 2522(a)(2), or 2522(b)(2) of the Code.

B. Except as permitted by law, no substantial part of the activities of this corporation shall consist of the carrying on of propaganda or otherwise attempting to influence legislation, nor shall this corporation participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office.
ARTICLE IV

The property of this corporation is irrevocably dedicated to charitable and educational purposes meeting the requirements for exemption provided by Section 214 of the California Revenue and Taxation Code, and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer, or member (if any) of this corporation, or to the benefit of any private person. Upon the winding up and dissolution of this corporation and after paying or adequately providing for the debts and obligations of this corporation, the remaining assets shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable and educational purposes meeting the requirements for exemption provided by Section 214 of the California Revenue and Taxation Code and that has established its tax-exempt status under Section 501(c)(3) of the Code.
SUPPORTING DOCUMENT 6
Conflict of Interest Policy
CONFLICT-OF-INTEREST CODE FOR THE

ASPIRE PUBLIC SCHOOLS

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the Aspire Public Schools ("Aspire")

Individuals holding designated positions shall file their statements of economic interests with Aspire, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) Upon receipt of the statements for the Members of the Board, and the Chief Executive Officer/President, Aspire shall make and retain copies and forward the originals to the Fair Political Practices Commission. All other statements will be retained by Aspire.
APPENDIX A

DESIGNATED POSITIONS

<table>
<thead>
<tr>
<th>Designated Position</th>
<th>Assigned Disclosure Category</th>
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<tbody>
<tr>
<td>Members of the Governing Board</td>
<td>I, II, III</td>
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<tr>
<td>CEO/President</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Chief Academic Officer</td>
<td>I, II, III</td>
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<tr>
<td>Chief Financial Officer</td>
<td>I, II, III</td>
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<tr>
<td>Chief Operating Officer</td>
<td>I, II, III</td>
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<tr>
<td>Director of Expanded Learning Systems</td>
<td>II, III</td>
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<tr>
<td>Director of Finance</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Human Resources</td>
<td>II, III</td>
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<tr>
<td>Director of Information Technology</td>
<td>II, III</td>
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<tr>
<td>Director of Operations</td>
<td>I, II, III</td>
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<tr>
<td>Director of Professional Development</td>
<td>II, III</td>
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<tr>
<td>Director of Growth and Strategy</td>
<td>I, II, III</td>
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<td>Director of Secondary Program</td>
<td>II, III</td>
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<tr>
<td>Director of Special Projects</td>
<td>II, III</td>
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<tr>
<td>Director of Special Education</td>
<td>II, III</td>
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<tr>
<td>Director of Student Services</td>
<td>II, III</td>
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<tr>
<td>Financial Analyst</td>
<td>II, III</td>
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<tr>
<td>Principals</td>
<td>II, III</td>
</tr>
<tr>
<td>Regional Vice Presidents</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Consultants</td>
<td>*</td>
</tr>
</tbody>
</table>

*Consultants are included in the list of designated positions and shall disclose pursuant categories I, II and III, subject to the following limitation:

The CEO/President may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code.
APPENDIX B
DISCLOSURE CATEGORIES

Category I:

(a) Interest in real property which is located in whole or in part either (1) within the boundaries of any county in which Aspire Public Schools operates, or (2) within two miles of the boundaries of any county in which Aspire Public Schools operates, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

(b) Investments in and income (including gifts, loans, and travel payments) from sources which are or have been within the previous two-year period engaged in the performance of building construction or design within the counties in which Aspire Public Schools operates.

(c) Investments, business positions in and income (including gifts, loans and travel payments) from sources engaged in the acquisition or disposal of real property within the jurisdiction.

Category II: Investments, business positions in, and income (including gifts, loans, and travel payments) from sources which manufacture or sell supplies, books, machinery, or equipment of the type to be utilized by the employee’s department.

Category III: Investments, business positions in, and income (including gifts, loans, and travel payments) from sources which are engaged in the performance of work or services of the type to be utilized by the employee’s department.

For purposes of this conflict-of-interest code:

The term department refers to the agency, Aspire Public Schools, and includes all school locations for the following positions: Members of the Governing Board, CEO/President, Chief Academic Officer, Chief Financial Officer, Chief Operating Officer, Director of Finance, Director of Operations, Director of Growth and Strategy, and Regional Vice Presidents.

The term department refers to the specific area of responsibility/section for the following positions: Director of Human Resources, Director Information Technology, Director of Professional Development, Director of Secondary Program, Director of Special Projects, Director of Special Education, Director of Student Services and Financial Analyst.

The term department refers to a specific school for all principal positions.
SUPPORTING DOCUMENT 7
Lottery and Registration Forms
STUDENT INTEREST FORM
STUDENT GRADE, BY YEAR

THIS YEAR (20__ - 20__) : GRADE_____
NEXT YEAR (20__ - 20__) : GRADE_____

STUDENT INFORMATION (PLEASE PRINT CLEARLY)

Student's Legal Name
First Name                Middle Name                Last Name

Date of Birth            Birthplace
City                     State                    Zip

Grade Student is Applying for Current School Gender  □ Male  □ Female

Current School District

Have you also applied to another Aspire School? □ Yes  □ No  Which School?

FAMILY INFORMATION (PLEASE PRINT CLEARLY)

<table>
<thead>
<tr>
<th>Name</th>
<th>Parent 1/Mother</th>
<th>Parent 2/Father</th>
<th>Legal Guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City, State, Zip</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work Phone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Phone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cell Phone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E-mail</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Student Lives With  □ Mother  □ Father  □ Both  □ Guardian/Other

Do any siblings attend this school? □ Yes  □ No

Sibling Name

Sibling DOB

Sibling Grade

PLEASE RETURN THIS APPLICATION TO THE SCHOOL IN WHICH YOU ARE INTERESTED.
Note that enrollment deadlines, lottery dates, and preference categories may differ by school. Please contact each school for more information.

Aspire Public Schools shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

For Office Use Only: Date rec'd ___________________ Rec'd by ___________________

Rev. 10/11
www.aspirepublicschools.org
SOLICITUD DE INTERÉS DEL ESTUDIANTE
GRADO DE ESTUDIANTE, POR AÑO
ESTE AÑO (20__ - 20__): GRADO____
PRÓXIMO AÑO (20__ - 20__): GRADO____

INFORMACIÓN DEL ESTUDIANTE (POR FAVOR ESCRIBA CLARAMENTE)

<table>
<thead>
<tr>
<th>Nombre Legal</th>
<th>Nombre</th>
<th>Segundo Nombre</th>
<th>Apellido</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Fecha de Nacimiento</th>
<th>Lugar de Nacimiento</th>
<th>Ciudad</th>
<th>Estado</th>
<th>País</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Grado del Aplicante</th>
<th>Escuela Actual</th>
<th>Género</th>
<th>□ Masculino □ Femenino</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Distrito Escolar Actual</th>
</tr>
</thead>
</table>

¿Ha aplicado a otra escuela Aspire? □ Sí □ No ¿A cuál escuela?

INFORMACIÓN FAMILIAR (POR FAVOR ESCRIBA CLARAMENTE)

<table>
<thead>
<tr>
<th>Nombre</th>
<th>Madre</th>
<th>Padre</th>
<th>Guardián Legal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirección</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ciudad/Estado/Código Postal</th>
<th>Num de Tel del Trabajo</th>
<th>Num de Tel de Casa</th>
<th>Celular</th>
<th>Correo Electrónico</th>
</tr>
</thead>
</table>

El estudiante vive con □ Madre □ Padre □ Ambros Padres □ Guardián/Otro

¿Tiene hermano(s) que asisten a esta escuela? □ Sí □ No

<table>
<thead>
<tr>
<th>Nombre</th>
<th>Edad</th>
<th>Grado</th>
</tr>
</thead>
</table>

REGRESE ESTA APLICACIÓN A LA ESCUELA EN QUE ESTÉ INTERESADO.
Tenga en cuenta que pueden diferir plazos de inscripción, fechas de lotería y categorías de preferencia por la escuela. Póngase en contacto con cada escuela para obtener más información.

Las Escuelas Públicas Aspire no discriminan en base de las características listadas en el Código de Educación, Sección 220 (incapacidad verdadera o percibida, sexo, nacionalidad, raza u origen étnico, religión, orientación sexual, cualquier característica que está dentro de la definición de crímenes de odio establecido en la Sección 422.5 del Código Penal o asociación con un individuo que tiene cualquiera de las características mencionadas.).

For Office Use Only: Date rec'd ____________________ Rec'd by ____________________
Rev. 10/11 www.aspirepublicschools.org
### STUDENT INFORMATION (PLEASE PRINT CLEARLY)

INFORMACIÓN DEL ESTUDIANTE (FAVOR ESCRIBIR LEGIBLE)

<table>
<thead>
<tr>
<th>Student's Legal Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nombre Legal del Estudiante</td>
</tr>
<tr>
<td>Last Name:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grade: Next year (20__ to 20__)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grado: Próximo año (20__ a 20__)</td>
</tr>
</tbody>
</table>

| Age/Edad: Date of Birth/Fecha de Nacimiento: | Gender/Género: | O Male/Masculino O Female/Feminino |
|--------------------------------------------|------------------|

<table>
<thead>
<tr>
<th>Student's Birth City</th>
<th>Birth State</th>
<th>Birth Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ciudad de Nacimiento de Estudiante</td>
<td>Estado de Nacimiento</td>
<td>País de Nacimiento</td>
</tr>
</tbody>
</table>

### CONTACT INFORMATION / INFORMACIÓN DE CONTACTO

<table>
<thead>
<tr>
<th>Home Address</th>
<th>Street:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirección de la Casa</td>
<td>Calle:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>Street:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirección de Correo</td>
<td>Calle:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Child Resides With</th>
<th>O Both Parents O Mother O Father O other</th>
</tr>
</thead>
<tbody>
<tr>
<td>El (la) Niño(a) Vive con</td>
<td>O Ambos Padres O Madre O Padre O otro(a)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MOTHER / MADRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parent 1/Padre 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FATHER / PADRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parent 2/Padre 2</td>
</tr>
</tbody>
</table>

| LEGAL GUARDIAN / GUARDIÁN LEGAL |

### SIBLINGS LIVING IN THE HOME / HERMANOS(AS) QUE VIVEN EN LA CASA

<table>
<thead>
<tr>
<th>Do any siblings attend an Aspire School?</th>
<th>O Yes O No</th>
</tr>
</thead>
<tbody>
<tr>
<td>¿Algun(a) Hermano(a) asiste a una Escuela Aspire?</td>
<td>O Sí O No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sibling Name</th>
<th>Sibling 1/ Hermano (a) 1</th>
<th>Sibling 2/ Hermano (a) 2</th>
<th>Sibling 3/ Hermano (a) 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nombre del Hermano (a)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sibling Age and Date of Birth</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edad y Fecha de Nacimiento del Hermano (a)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sibling School</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Escuela del Hermano (a)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sibling Grade</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grado del Hermano (a)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
STUDENT REGISTRATION FORM / FORMULARIO DE REGISTRO DE ESTUDIANTE

EMERGENCY CONTACTS / CONTACTOS DE EMERGENCIA

Contact #1 / Contacto #1
Name / Nombre: __________________________ Relationship to Child / Parentesco con el (la) Niño(a): __________________
Emergency Contact Telephone # / No. de Teléfono del Contacto de Emergencia: __________________

Contact #2 / Contacto #2
Name / Nombre: __________________________ Relationship to Child / Parentesco con el (la) Niño(a): __________________
Emergency Contact Telephone # / No. de Teléfono del Contacto de Emergencia: __________________

ADDITIONAL STUDENT INFORMATION / INFORMACIÓN ADICIONAL DEL ESTUDIANTE

The following information is for planning purposes and will enable us to provide your child with an appropriate education program. La siguiente información es para fines de planeación y nos permitirá darle a su hijo(a) un programa de educación apropiado.

PREVIOUS SCHOOL HISTORY / HISTORIAL DE ESCUELAS ANTERIORES

Have you ever enrolled at another Aspire School? O Yes O No
¿Usted ha estado matriculado(a) antes en otra Escuela Aspire? O Sí O No
Name of school: _______________________________________
Nombre de la escuela: __________________________________

Last grade completed before beginning with Aspire: ________ Last school attended: ______________________
Último grado completado antes de empezar con Aspire: ________ Último escuela asistida: ______________________

Last School District / Último Distrito Escolar: _______________________________________

Has your child been previously expelled, or is your child currently expelled? ¿Su hijo(a) ha sido expulsado(a) antes, o su hijo(a) está expulsado(a) actualmente? O Yes / Sí O No District / Distrito: ______________________

Please provide the date of original entry into a United States school if from another country. Por favor indique la fecha de entrada original a los Estados Unidos si es de otro país. Date / Fecha: __/__/____

SPECIAL PROGRAMS / PROGRAMAS ESPECIALES

Does your child have a current IEP or 504 plan? O Yes O No
¿Su hijo(a) tiene un IEP o plan 504 vigente? O Sí O No

Has your child ever had an IEP or 504 plan? O Yes O No if exited, when (school year)?
¿Su hijo(a) ha tenido alguna vez un IEP o plan 504? O Sí O No ¿Si se salió, ¿cuándo (año escolar)?

I give consent to Aspire Special Education to request my child's current confidential IEP records from his/her previous school.
Doy consentimiento para el equipo de educación especial de Aspire para solicitar registros confidenciales actuales de IEP de mi hijo de su escuela anterior.

Parent’s/Caregiver’s/Guardian’s Signature
Firma de Padre / Cuidador / Guardián: __________________________ Date / Fecha: __/__/____
ADDITIONAL STUDENT INFORMATION / INFORMACIÓN ADICIONAL DEL ESTUDIANTE

ENGLISH PROFICIENCY OF THE STUDENT: (CHECK ONE ONLY) / DOMINIO DEL INGLÉS DEL ESTUDIANTE:
(MARQUE SOLAMENTE UNA)

○ Fluent English Speaker
  Hable inglés fluido

○ Limited English Proficient / English Language Learner
  Dominio limitado del inglés / Aprendiz del idioma inglés

○ Non-English Speaking
  No habla inglés

○ Status unknown
  Estatus desconocido

Date student first enrolled in K-12 in a United States school:
Fecha en la que el (la) estudiante se matriculó por primera vez en K-12 en una escuela en Estados Unidos: __/__/____

STUDENT'S PRIMARY AND HOME LANGUAGE / IDIOMA PRIMARIO Y DEL HOGAR DEL ESTUDIANTE

1. What is the first language your child learned to speak?
   ¿Cuál es el primer idioma que su niño aprendió a hablar?

2. What language does your child speak most often outside of school?
   ¿Qué idioma habla su niño más a menudo fuera de la escuela?

3. What language do people usually speak in this child's home? (parents, guardians, grandparents, or any other adults)
   ¿Qué idioma habla generalmente en casa de este niño? (padres, guardianes, abuelos o cualquier otro adulto)

4. Which language would you prefer for information sent to the home from school?
   ¿Qué idioma prefieras para información enviada a la casa de la escuela?

ADDITIONAL STUDENT INFORMATION / INFORMACIÓN ADICIONAL DEL ESTUDIANTE

STUDENT'S PRIMARY RACE (PLEASE PRINT CLEARLY)
RAZA / ORIGEN ÉTNICO (MARQUE SOLAMENTE UNA)

Is the student Hispanic or Latino?  ○ No, not Hispanic or Latino  ○ Yes, Hispanic or Latino
¿El/la estudiante es hispano o latino?  ○ No, no ni Hispano ni latino  ○ Sí, es Hispano o Latino

○ Alaskan Native or American Indian / Nativo(a) de Alaska o indígena Estadounidense
  Asian (Please Specify) / Asiática (Favor Especificar)
    ○ Hmong / Hmong  ○ Asian Indian / Indio Asiático  ○ Chinese / China  ○ Japanese / Japonesa

○ Filipino / Filipina o Coreana  ○ Vietnamese / Vietnamita  ○ Loation / Louisiana  ○ Cambodian / Camboyana

○ Other Asian / otra Asiática

Hawaiian or other Pacific Islander (Please Specify) / Hawaiana o de otra isla del Pacífico (Favor Especificar)

○ Guamanian / Guameña  ○ Samoan / Samona  ○ Hawaiian / Hawaiana  ○ Tahitian / Tahitiana

○ Other Pacific Islander / otra isla de la Pacifica

○ Black or African American (Not of Hispanic origin) / Negra o Africana (No de origen Hispano)

○ White or Caucasian (Please Specify if Known) / Blanca / Caucásica (Favor Especificar si se Sabe)
**STUDENT REGISTRATION FORM / FORMULARIO DE REGISTRO DE ESTUDIANTE**

**PARENT EDUCATION / EDUCACIÓN DE LOS PADRES**

Among all parents/guardians residing with the student, what is the highest level of education? (check one only) Entre todos los padres/acudientes que residen con el (la) estudiante, ¿cual es el nivel más alto de educación? (Marque solamente uno)

<table>
<thead>
<tr>
<th>HIGH SCHOOL / ESCUELA SECUNDARIA</th>
<th>COLLEGE AND BEYOND / UNIVERSIDAD Y MÁS</th>
<th>OTHER / OTRA</th>
</tr>
</thead>
<tbody>
<tr>
<td>O High School Diploma</td>
<td>O Some College (includes AA Degree)</td>
<td>O Decline to State or unknown</td>
</tr>
<tr>
<td>Diploma de Escuela Secundaria</td>
<td>Algun Estudio universitario (incluye -Título AA)</td>
<td>Se Niega a indicarlo o No se sabe</td>
</tr>
<tr>
<td>O Not a H.S. Graduate</td>
<td>O Bachelor/Baccalaureate Degree (BA, AB, BS, etc.)</td>
<td></td>
</tr>
<tr>
<td>No Graduado(a) de la</td>
<td>Título Profesional / Licenciatura (BA, AB, BS, etc.)</td>
<td></td>
</tr>
<tr>
<td>Escuela Secundaria</td>
<td>O Graduate School/Post-Graduate Training</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Título de Postgrado / Estudios de Postgrado</td>
<td></td>
</tr>
</tbody>
</table>

Aspire Public Schools shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics)

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**FOR OFFICE USE ONLY / PARA USO DE LA OFICINA SOLAMENTE**

<table>
<thead>
<tr>
<th>Shot Records</th>
<th>Proof of Residency</th>
<th>Copy of Birth Certificate/Passport</th>
<th>Proof of Guardianship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry Logged</td>
<td>Advisory</td>
<td>Schedule</td>
<td>Challenge</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cum. Requested Date</th>
<th>Cum. Requested Date</th>
<th>PowerSchool Entry Date</th>
</tr>
</thead>
</table>
SUPPORTING DOCUMENT 8
Resumes of Lead Petitioners
Elise Darwish
12 Sierra Avenue, Piedmont, CA 510-407-8673 elise.darwish@aspirepublicschools.org

Experience

Chief Academic Officer
1999 to Present
Aspire Public Schools, Oakland, CA

- Founding Chief Academic Officer of the first charter management organization in the country.
  * Designed and implemented the K-12 instructional program currently implemented in 37 schools with a majority of high poverty students.
  * Made key decisions about the strategy and growth of Aspire as part of the founding management team.
  * Built processes and systems for educational practices to be replicated within the organization.
  * Supported and evaluated principals in all regions and grade levels.
- Increased achievement to be the highest performing school system compared to similar California districts
  * Raised average Academic Performance Index from 619 to 824 while increasing enrollment from 500 students to 12,000.
  * Created schools where over 95% of underserved students are accepted to 4 year universities.
- Shared practices, materials and systems to school districts, other charter management organizations, non-profits and individual charter schools.

Adjunct Professor in Educational Leadership
2004-2008
San Jose State University, San Jose, CA
- Taught classes in educational administration.

Instructional Coordinator
1995-1999
San Carlos Charter Learning Center, San Carlos, CA
- Instructional leader for the first charter school in California.
- Created an innovative educational program designed to be the research and development site for the San Carlos School District.
- Responsible for all aspects of the academic and operational processes of the school.

Assistant Principal and Teacher
1990-1995
Woodside School District, Woodside, CA

Teacher
1989-1990
Morton Grove School District, Morton Grove, IL

Teacher
1988-1989
The Harvard School, Chicago, IL

Education
San Francisco State University, San Francisco, CA
Masters of Education

University of Illinois, Urbana, IL
Bachelor of Science, Education

References
References are available on request.
Jennifer Garcia
15055 Jupiter Street, Whittier, CA 90603
626 627-0672
kweskhaleesi@gmail.com

Objective
Obtain a position as a faculty adjunct lecture in a university setting where I can engage with students who are seeking development in the field of education.

Education
Masters, Curriculum and Instruction
University of California Santa Cruz, Santa Cruz, CA

B.A. Ethnic Studies
University of California Berkeley, Berkeley, CA

Multiple Subject Teaching Credential
University of California Santa Cruz, Santa Cruz, CA

New Leaders for New Schools Cohort 8
Administrative Credential Tier 1
California State University, East Bay

Career History

Lead Principal, ASPIRE PUBLIC SCHOOLS

- Supports regional leadership by overseeing designated school site to achieve fiscal, operational and academic success.
- Responsible for the supervision of principal including recruitment, professional development, and performance management.
- Support principal in their roles as instructional leaders and site managers, helping them with school planning, partner with site leadership and instructional coaches to ensure high quality implementation of Aspire education design, including standards, assessments, instructional guidelines and culture.
- Advise principal on maintaining effective and compliant school operations, including key school processes, student discipline, budgetary planning, operations and human resource responsibilities.
- Act as liaison with Home Office staff to ensure school site(s) receive necessary support and to improve systems and processes to serve the schools.
- Participate in strategic planning meetings for the principal professional development.
- Assist in refining the Aspire education design to improve student achievement.
- Recruit highly qualified Principal(s) and support them in the selection of their educators and staff.
- Demonstrate knowledge of and support for Aspire Public School’s mission, vision, value statements, standards, policies and procedures, operating instructions, confidentiality standards, and the code of ethical behavior.
Principal, ASPIRE PUBLIC SCHOOLS

- Lead all aspects of the school in regards to vision and culture as it relates to students, staff and families.
- Manage 50 employees with both certificated and non-certificated status, including all parts of performance management.
- Develop, support and coach all components of instructional program for the secondary school. Work collaboratively with Aspire Instructional Coaches to deliver professional development that is aligned to Instructional Guidelines.
- Partner with families and community to build a cohesive school culture that embraces parent partnership
- Participate in professional community of principals to develop positive and productive professional relationships with all teammates
- Adhere to all authorizing agency deliverables in regards to state guidelines for charter organization
- Maintain a balanced budget that is based in five year goals and plans

New Leaders for New Schools Resident Director, Lighthouse Community Charter School.

- Aligned Interim Assessments with pacing guides
- Coached Teachers to develop and support their practice, using multiple forms of data
- Utilized data in Professional Development seminars with teams of teachers to develop professional learning communities
- Supported a positive school environment by assisting with student discipline and intervention
- Participated and conducted SST meetings to assist in developing plans to meet compliance and support student success
- Administered CELDT
- Instructional Leadership Team
- Evaluated Teachers through Formal Observation Cycles
- Facilitated Data Team Meetings using Interim Assessment results to deepen teacher pedagogy.

Recognitions

- 2012 New Leader for New Schools, Invisible Educators Peer Review
- 2005 IMLS Participant Visiting Scholar UC Berkeley
- 2004 UCSC Richard and Cindy Morely Scholarship Excellence in Teaching
- 2003 UCSC Governors Graduate Fellow
Objective
To obtain a Business Manager position at Aspire Olin University Prep where I can utilize all of my office management skills and business experience.

Education
Rio Hondo College
Forensic Program, December 2007

Summary of Qualifications
Expedient in office management:
- Possess excellent communication, multitasking, time management and organizational skills.
- Extensive knowledge of finance, budgeting, attendance and accounting skills
- Bilingual in Spanish
- Proficient with Microsoft, network printing, copiers and fax machines

Professional Experience

Aspire Olin University Prep, Huntington Park (formerly Centennial), 07/2010 - Present
- Manage all aspects of Power School (attendance, student enrollment, health, demographics, transfers, RFEP, 504) Aesop Substitute Finder, Human Resource (Workers Comp, I9), and Replicon transactions.
- Manage all aspects of finance (purchasing and procurement of vendors, processing invoices, etc.).
- Perform LAUSD secondary attendance reports.
- Execute and assist with the planning of parent meetings, home office visits, and guests.
- Collect and process School Bank Ledger and Deposit according to Aspire policy.
- Implement and train the reorganization of complete, accurate student records.
- Assisted the office manager at Aspire Pacific Academy with creating their binders for LAUSD charter review 2013.
- Maintain excellent relationship with the School Fire Marshall, Huntington park police department.

Aspire Human Resources 07/2012
- Processed 19 for new hire employees during new teacher orientation at Aspire Juanita Tate

Aspire Lead Office Manager, Los Angeles 09/2009
- Efficiently trained (Power School, student records, organizations, fiancé, accountings) new office stuff in the Los Angeles Region.
- Audited the Aspire Los Angeles Office Schools per home office request.
- Provided support (attendance reports, finance) to other Aspire LA offices.

Aspire Junior Collegiate Academy 10/2008
- Implemented the reorganization of student records.
- Managed and oversaw the daily duties of front office.
- Executed and assisted with the planning of parent meetings, home office visits and guests.
- Organized student recruitment when enrollment was low to maintain full enrollment.
- Managed Power School, Finance, Accounting, Timesheets, Vendors.
- Assisted and executed the planning of moving school to new building.

LAUSD 2002 – 2008
- Assisted in the main offices as a translator, phones, fax, reports, copies, visitors.
- Assisted Teacher in the classroom, small groups, and one on one support to students.
- Reorganized and executed an efficient library.
- Assisted with the grant writing and was awarded The Wonder of Reading Library.
- Assisted with planning and executed The Lakers Players visit to the school.

Acknowledgements
LAUSD Charter Review: Dr. Gina Hughes, 2012

References
Available upon request
SUPPORTING DOCUMENT 9

Board Questionnaires and Resumes
School Year 2013 – 2014 Aspire Public Schools
Governing Board Members
Contact Information

<table>
<thead>
<tr>
<th>Term of Service</th>
<th>Last, First Name</th>
<th>Governing Role</th>
<th>Address</th>
<th>Telephone</th>
<th>E-mail</th>
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<tbody>
<tr>
<td>11/4/03-Present</td>
<td>Hughson, William</td>
<td>Board Member</td>
<td>3005 Highland Parkway, 5th flr. Downers Grove, IL 60515</td>
<td>630-515-4595</td>
<td><a href="mailto:bhughson@devry.com">bhughson@devry.com</a></td>
</tr>
<tr>
<td>10/27/99-Present</td>
<td>Steven Merrill</td>
<td>Board Member</td>
<td>16795 Round Valley Circle, Grass Valley, CA 95949</td>
<td>415-362-6868</td>
<td><a href="mailto:smerrill@benchmark.com">smerrill@benchmark.com</a></td>
</tr>
<tr>
<td>4/10/07-present</td>
<td>Louise Muhlfeld Patterson</td>
<td>Board Member</td>
<td>3343 Pacific Ave., San Francisco, CA 94118</td>
<td>415-929-7492</td>
<td><a href="mailto:Lmuhlfeld@aol.com">Lmuhlfeld@aol.com</a></td>
</tr>
<tr>
<td>2/03/04-Present</td>
<td>Dick Spalding</td>
<td>Board Member</td>
<td>88 Kearny St., Flr 4, San Francisco, CA 94108</td>
<td>415-364-2536</td>
<td><a href="mailto:dick@kearnyvp.com">dick@kearnyvp.com</a></td>
</tr>
<tr>
<td>10/22/10-Present</td>
<td>Jonathan Garfinkel</td>
<td>Board Member</td>
<td>345 California St., Suite 3300, San Francisco, CA 94104</td>
<td>415-743-1682</td>
<td><a href="mailto:jgarphinkel@tpg.com">jgarphinkel@tpg.com</a></td>
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<td>Date</td>
<td>Name</td>
<td>Title</td>
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<tr>
<td>8/2/00</td>
<td>Beth Hunkapiller</td>
<td>Board Chair</td>
<td>1333 Pebble Drive, San Carlos, CA 94070</td>
<td>650-592-3580</td>
<td><a href="mailto:bethhunkapiller@me.com">bethhunkapiller@me.com</a></td>
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<td>4/10/12</td>
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<tr>
<td>8/16/12</td>
<td>Greg Jones</td>
<td>Board Member</td>
<td>26642 Alsace Drive, Calabasas, CA 91302</td>
<td>818-880-4219</td>
<td><a href="mailto:Gjones4sf@aol.com">Gjones4sf@aol.com</a></td>
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PROFESSIONAL SUMMARY

Seasoned, senior-level executive with a proven track record of creating superior business strategy, building high-performing teams and driving operating excellence in both public and private companies.

EXPERIENCE

DEVRY, President, Healthcare Group  
S&P 500 provider of educational services.  
2009 – Present

- Responsible for DeVry Medical International (Ross University School of Medicine, Ross University of Veterinary Medicine and American University of the Caribbean School of Medicine), Chamberlain College of Nursing and Carrington Colleges Group.
- Chair of the Board of Trustees of Chamberlain College of Nursing; Vice Chair of the Board of Trustees of Ross University.
- Drove $235M acquisition and integration of American University of the Caribbean (AUC).
- Achieved American Veterinary Medical Association accreditation for Ross University School of Veterinary Medicine (the first private-sector school ever to achieve AVMA accreditation).
- Grew revenue from $363M to $558M and operating income from $99M to $127M (does not include AUC).

DAVITA  
Fortune 500 provider of dialysis and related services.  
2000 – 2009

Vice President  
2009 – 2009

- Responsible for three strategic initiatives: Patient Pathway, Falcon and Lab/CKD.
- Invited to become a member of “Desert Rats”, a strategic advisory committee of senior VPs.

Vice President, Sierra Terrific and Pacific Gold Divisions  
2008 – 2009

- Responsible for 104 dialysis facilities, acute dialysis services in 73 hospitals, 2,400 teammates and $392M in revenue in Northern California.
- Pacific Gold Division added to responsibilities in August, after only 4 months in role.
- Strengthened physician and teammate morale and increased clinical, operating and financial performance, resulting in 2008 EBITDA $2.9M favorable to budget.
- Achieved significant improvements in clinical quality, from the #14 and #16 divisions to the #4 and #5 divisions out of 27 nationwide.
- Resolved 8 physician partner “hot spots” worth $61M revenue and $18M EBITDA per year.
- Negotiated 4 new physician group partnerships with potential revenue of $15M per year.
- Renegotiated Kaiser acute dialysis contract for Northern California, achieving a 10% increase in revenue per treatment.

President, DaVita Rx (specialty pharmacy subsidiary of DaVita)  
2006 – 2008

- Developed company from business plan to revenue of over $80M in 4 years.
- Created an innovative new business model to meet the unique needs of dialysis patients, resulting in high patient satisfaction, a 50% increase in medication adherence levels, and significantly reduced hospitalization rates.
- Built, licensed and operationalized 3 pharmacies to serve DaVita dialysis patients in 43 states.
- Awarded the 2008 DaVita Rx Core Value Award for Fun.
“Executive at Large” (special projects consulting) 2000 – 2006
- Managed multiple special projects over a 6-year period, including:
  - Created, tested and operationalized three different new business concepts: DaVita Rx, DaVita At Home and DaVitaCare.
  - Interim “COO of Compliance” responsible for all aspects of regulatory compliance.
  - Managed team responsible for developing strategic business plans for improving growth and profitability in 20 largest EBITDA-producing markets nationwide.
  - Created an organizational and operational plan to improve performance and reduce cost in the development of new dialysis facilities.
- Awarded a 2004 “Bridge” award for embodying company Mission and Values.
- Awarded the 2003 “GSD” (Get Stuff Done) Award.

INDEPENDENT CONSULTING, Strategic, financial and operational consulting 1999 – 2000
- Hired by venture capital investors to assist Lucy, a designer and retailer of women’s athletic apparel, with their financing strategy, store development strategy and store operations.
- Developed business strategy for ALPS, a multi-national bottled water company.
- Developed and helped implement an e-commerce strategy for the CEO of Chemtex International, a plastic raw materials distribution company.

A.G. FERRARI FOODS, President 1997 – 1999
Importer, manufacturer, wholesaler and retailer of high-quality Italian food
- Led the growth of this 80-year-old family-owned business from 4 to 8 stores, while increasing sales per square foot by 21% and store contribution by 33%.
- Developed and implemented a complete redesign of the company’s brand identity, including name, visual identity and product line, including a successful private-label brand.
- Built a new state-of-the-art centralized commissary and implemented a new point-of-sale and inventory management information system.
- Raised over $18M in equity, debt and lease financing.

NOAH’S NEW YORK BAGELS, INC. 1992 – 1996
Manufacturer, wholesaler and retailer of bagels and related products.
President and CFO, Noah’s New York Bagels 1995 – 1996
CEO, President and CFO, Noah’s New York Bagels 1993 – 1995
- Managed sale of the company for $101M, over 3 times 1995 sales, creating more than $75M in shareholder value in under 4 years.
- Negotiated the merger of P & A Ventures with Noah’s New York Bagels.
- Drove growth from 1 to 39 stores; from $1M to $40M in sales; from 25 to 1,100 employees.
- Built a strong mission and values-oriented culture. The Center for Values Research placed Noah’s Bagels in the top 5% of all workplaces for employee commitment and satisfaction.
- Created a strong brand. BSI identified Noah’s Bagels as one of the top 3 places for “morning coffee or meal” in the Bay Area, after McDonalds and Starbucks.
- Successfully fought a Teamsters drive to unionize 85 production and distribution employees.
- Raised over $40M in equity and debt financing.

- Various strategic and implementation projects for a home healthcare company, a mail order pharmacy and a digital imaging technology company.

EDUCATION

STANFORD GRADUATE SCHOOL OF BUSINESS, MBA 1990

WILLIAMS COLLEGE, BA Cum Laude in English with a Minor in Economics 1986

AMERICAN UNIVERSITY IN CAIRO, Semester Abroad 1984

ADDITIONAL INFORMATION

Member, Young Presidents Organization: Windy City (2009 – Present); NorCal (2007 – 2009); Barbary Coast (1994 – 97)

Director and member of the Executive Committee, Aspire Public Schools (2003 to Present)

Recipient, Alice B. Toklas Leadership Award for community service (1994)

Five month, 2,100-mile hike of the Appalachian Trail from Georgia to Maine (1981)
Bill Hughson

The following represent my responses to the questionnaire for Perspective Charter School Board members for a charter petition submitted by Aspire Public Schools to the Los Angeles Advise School District Board of Education, Superintendent and staff.

1. I graduated from Williams College in 1986 with a degree in English literature and from the Stanford Graduate School of Business in 1990. My professional affiliations include CEO of Noah’s Bagels, President of AG Ferrari Foods, President of ePlast.com and my current position as President of DaVita Rx. I am also a Director of two medical technology firms, Sensurtec and Fulfillum, and is Managing Member of Silicon Valley Investment Partners. I am married and the proud father of a daughter.

2. I will be at least 18 years old by January 1, 2010

3. I learned of Aspire Public Schools through my Stanford Alumni Association. I was provided an orientation by Stanford MBA and then-COO of Aspire, Gloria Lee. Aspire was interested in a potential director who had experience in a multi-regional organization. I later met other Board members and CEO Don Shalvey. I found the organization to be of value due to the strong mission and performance and was then selected as a Director.

4. I serve on the board because I’m deeply committed to the vision and mission of Aspire Public Schools. Education is a great equalizer and can afford opportunities for a high quality of life. I also believe that governance plays a significant role in an organization’s success and I know my management experience can add value.

5. I have not served as a member of a school board for a school district and this is my first service as a director for a not-for-profit public benefit corporation.

6. I believe the role of a board member is to provide guidance regarding policy and strategy with regards to Aspire’s key functions, which include fiscal and academic achievement and the selection/evaluation of the CEO.
7. I believe that I bring significant experience in the areas of finance and fiscal responsibility, general management expertise (especially with multi-regional organizations) and leadership with organizational culture and human resources. In addition I have experience in aspects of public relations and marketing. All of these seem important to the work of Aspire Public Schools.

8. I anticipate the school will be fully enrolled and that first year achievement will be equal to or greater than those schools that serve the same neighborhood as our school. Student attendance will exceed 95% and parent satisfaction will be high. At the end of the fourth year of operation the school will reach a similar school rank of 7.

9. The Aspire Board of Directors regularly review the organizations finance, personnel decisions and contracts. This is done by both the Executive Committee and the Board Committees of Finance and Audit. If I believed there were improprieties I would work through the President of the Board to have an internal review and if necessary, an external audit of all functions and decisions until a clear picture was established. Pending the results of the audit; potential disciplinary action may be taken.

10. I did not know any other Board members prior to my selection as a Board member (other than CEO Don Shalvey, who I met during the process). I was not married at the time of selection.

11. Neither I nor any family member knows any people that will be perspective school employees at the school.

12. Neither I nor any immediate family member knows of any plans to do business with this school.

13. Aspire Public Schools is a 501C not-for-profit public benefit corporation; which is the petitioner for this charter school. Neither I nor any member of my family is aware that any other service provider will be involved with Aspire for the purposes of supporting the school and I have no relatives who are engaged in any subcontracts for any current schools nor this school as petitioned.
14. Aspire Public Schools is a 501C not-for-profit benefit corporation that is the petitioner for this charter school. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

15. Neither my spouse nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization ("CMO") or the school itself.

16. There is no potential ethical or legal conflict of interest as a result of my service as a Director for Aspire Public Schools.

17. Aspire’s educational model is a California standards-based program that relies on strong teaching methodology, frequent assessments, a "cycle of Inquiry" where staff members review students and staff data and make the necessary adjustments to ensure differentiation and student success. The program relies on high expectations for adults and students and the school culture is one of "college for certain." The instructional materials are consistent with the decisions made by the California State Board of Education’s decisions and wrap-around programs are integrated in order to support every student.

18. I am familiar with the organization’s instructional program. At each Executive Committee meeting there are Instruction Reports. These describe student achievement, professional development effectiveness, staff recruiting, Aspire’s Balanced Scorecard and the "cycle of Inquiry." While not an educator I know the metrics that we use for success and apply Aspire’s annual metrics to our monthly meetings.

19. A successful school is one with a specific mission, high expectations, standards and metrics for performance, a consistent Instructional delivery and a "public nature" where staff shares data and work together to support each other and the students. A successful school feels inclusive for parents and the community. It is inviting and supportive. Parents feel involved, students know that there are neighbors who look out for them and local law enforcement and health/safety organizations are well-known and supportive.
STEVEN L. MERRILL
16795 Round Valley Circle
Grass Valley, CA 95949
415.362.6868
smerrill@benchmark.com

PROFESSIONAL
Bank of America Capital Corporation 1968 – 1980
President 1976 – 1980

Benchmark Capital 1996 – Present
Co-Founder

Foundation Capital 1996 – Present
Co-Founder

Merrill, Pickard, Anderson & Eyre 1980 – 1996
Co-Founder

Bank of America Capital Corporation 1968 – 1980
President 1976 – 1980

EDUCATION
University of Pennsylvania, The Wharton School
Master’s Degree in Business Administration

VOLUNTEER WORK
Aspire Public Schools, Board of Directors
Town School for Boys, Board of Trustees Member
Committee to Restore the San Francisco Opera House
Children’s Health Council
Tahoe Regional Planning Agency
UCSF Foundation
National Advisory Board of the Haas Center at Stanford University
STEVEN L. MERRILL

Biography

Steven L. Merrill has been active in venture capital investing since 1968 when he joined Bank of America's venture capital group. An MBA graduate of the Wharton School at the University of Pennsylvania, he became president of BankAmerica Capital Corporation in 1976 and managed this very successful venture activity until 1980 when he formed and managed Merrill, Pickard, Anderson & Eyre (MPAE), a privately held venture capital partnership.

MPAE managed funds of approximately $285 million provided by a group of institutional limited partners. Some of the companies funded by MPAE include America Online, Aspect Telecommunications, Cypress Semiconductor, Documentum, Komag, LSI Logic, Synopsys, Collabra (acquired by Netscape), Grand Junction, Kalpana (acquired by Cisco), Legato Systems, Maxim Integrated Products, Palm Computing, and Rambus.

MPAE stopped making new investments in 1996 and the partners founded Benchmark Capital and Foundation Capital. Mr. Merrill is a limited partner in both of these firms, but he is no longer involved in the day-to-day management. He is devoting a significant amount of time to civic and non-profit activities as well as his private investments. He was chairman of the Board of Trustees of Town School for Boys, a member of the Committee to Restore the San Francisco Opera House, and he is a past director of the Children's Health Council. Mr. Merrill currently serves on the Board of Aspire Public Schools, the largest Charter School organization in California, the Tahoe Regional Planning Agency, and the UCSF Foundation. He is also a member of the National Advisory Board of the Haas Center at Stanford University and an investment partner in New Schools Venture Fund.

Mr. Merrill is a past president of the Western Association of Venture Capitalists, a past director of the National Venture Capital Association, and has been a director of numerous privately-held companies.
PROSPECTIVE CHARter SCHOOL BOARD MEMBER QUESTIONNAIRE

Steven Merrill

Background

1. Please provide your educational and employment history. See attached Resume.

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open. I was born on January 15, 1942, so was at least 18 years old on January 1, 2012.

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board. I am an investment partner in NewSchools Venture Fund, which introduced me to Don Shalvey, a co-founder of Aspire Public Schools. Don Shalvey is one of the most inspirational entrepreneurs and educators I have met. He and my strong interest in education reform inspired me to join the Board at Aspire Public Schools.

4. Please explain why you wish to serve on the board. I wish to serve on the board because I am deeply committed to the vision and mission of Aspire Public Schools, which is to provide underserved youth with high quality education and the opportunity to attend and graduate college. I also believe that governance plays a significant role for the success of any not-for-profit organization and I wish to lend my talent and experience to that important role.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.
   - Past board member of The Children’s Health Council, Palo Alto, CA
     This organization strives to make a measurable difference in the lives of children and their families who face developmental, behavioral, emotional and learning challenges.
   - Past board member of Drew School, San Francisco, CA
     This is a small, urban college preparatory learning institution.
   - Past chairman of the board of Town School for Boys, San Francisco, CA
     This is a K-8 independent day school committed to providing the best possible education for boys.

6. Please describe your understanding of the appropriate role of a public charter school board member. The role of a public charter school board member is to provide knowledge and wisdom as the board oversees the fiscal, legal and academic standards. In this role, I and the entire board adhere to the requirements of the Brown Act and the code of ethics for not-for-profit boards.

7. Please indicate specifically the knowledge and experience that you would bring to the board. As a venture capitalist I participated as a board member and investor in the starting and building of many successful businesses, including America Online, Aspect Telecommunications, Cypress Semiconductor, Documentum, Komag, LSI Logic, Synopsys, Collabra (acquired by Netscape), Grand Junction, Kalpana (acquired by Cisco), Legato Systems, Maxim Integrated Products, Palm Computing, and Rambus. This experience gives me tremendous knowledge about the generic issues of building and enterprise, whether it is in the for-profit or not-for-profit world, and a keen understanding of the governance requirements of a board of directors. In addition, my experience on the board and as a chairman of the board of several not-for-profit schools gives me insight into well run education institutions, which adds perspective that can benefit Aspire.
8. Please provide a forecast of where you see the school in one year and then again in five years. It is my estimate that at the end of the first year the school will be fully enrolled. The average daily attendance of the students will be at minimum of 95% and first year academic performance based on API will be comparable to schools in the immediate neighborhood. At the end of four years, I expect the school to be fully enrolled and 95% of the parents will give the school an A or B on the annual parent's survey. The school will be fiscally sound and the academic performance will be high as measured by the fact that similar school ranks will be eight or above. By the sixth year the school's API will exceed 800.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)? It is common practice that the Executive Committee and the Board of Directors regularly review the organization and each schools finances, contracts and personnel decision. Should I or any other board member believe that there are improprieties or naiveté dealing with standards for professional practice and potential conflicts of interest, I would report it to the chair of the board and task for an immediate investigation and analysis of the situation. Should improprieties occur in regards to hiring or contracts then I would ask the board to immediately move to a resolution and discipline if necessary.

Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member.
Richard Spalding and Louise Patterson. I have known Richard as a family friend and venture capitalist and Louise from my tenure on the Board of Drew School. I have never had any business relationship with either.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship.
Neither I nor any member of my immediate family knows any people that will be prospective school employees.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business.
Neither I nor any member of my immediate family knows of any plans to do business with the school.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider.
Aspire Public Schools is a 501C not-for-profit benefit corporation, which is the petitioner for this charter school. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider.
Aspire Public Schools is a 501C not-for-profit benefit corporation that is the petitioner for this charter school. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.
15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship.
Neither I nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization ("CMO") or the school itself.

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school's board. If so, describe such potential conflicts.
I do not foresee potential ethical or legal conflict of interest as a result of my being a member of the Aspire Public Schools Board of Directors.

Educational Philosophy

17. Please describe your understanding of the school's mission and/or philosophy.
Aspire Public Schools' educational model is to design and to provide students with access to opportunities and tools to succeed in higher education work and citizenship. Through personalized learning experience students learn and master skills needed in the California standards for rigorous work post-secondary life. To maintain a consistent high quality result, Aspire tracks school performance and outcomes with a balance scorecard.

Aspire Public Schools' education design is a seven core element, each aligned with the others; these are:
1. High Standards and clear learning objectives
2. A sense of community
3. More time for learning
4. A balanced curriculum
5. A variety of teaching methods
6. Rigorous and ongoing assessment
7. Extra support for students as needed

It is the belief of Aspire Public Schools that a philosophy and culture of "college for certain" should be present in every decision and every interaction made with students and adults. It is through this educational philosophy and strong academic program that Aspire Public Schools intends to fulfill each student's aspirations for education and a high quality of life.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize. I am familiar with the organization's Instructional program. As a Board member of Aspire Public Schools, I am briefed on a regular basis by staff, as well as other educators about the educational model. Just as important, the Board reviews performance indicators of all schools on a regular basis as well as program changes to improve performance.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

The following statements represent the key characteristics of a successful school:

a. The highest performing schools have teachers who take responsibility for student achievement and believe that the school has a well-defined plan for instructional improvement.

b. The organization leaders, the principal and the teachers utilize state standards to guide curriculum and instruction.
c. The school has identified essential and key standards. The principal is a knowledgeable source regarding these key standards.
d. Aspire Public Schools provides constant information to all teachers regarding these standards.
e. Aspire provides constant information to all staff regarding the standards.
f. The school materials are aligned with state standards.
g. The school maps and the state curriculum standards are articulated
h. There is a program of frequent and ongoing assessment with the data review regularly with the process of inquiry.
i. Student performance is frequently monitored in order to provide appropriate support both during the day and with after school programs.
j. The school has high expectations and takes responsibilities for every student’s achievement.
k. The school culture and vision is focused on student learning.
l. The school culture and all adults in the school are committed to improving student learning.
m. The organization and the principal communicate a clear vision for the school.
n. The principal and all teachers set high standards for student learning.
o. The school culture is focused on performance and an undying belief that all students can learn and achieve.
p. All the school systems including finance, human resources, time and space are focused on the intellectual personal and social development of all students.

________________________
Steven L. Merrill
Name (please print)

________________________
Steven L. Merrill
Signature

________________________
SEPT 28 2011
Date

This request for information was developed by the State University of New York Charter Schools Institute.
**Louise Muhlfeld Patterson**

**Education:**
Vassar College – BA (Psychology, Education)
Junior Semester abroad; Oxford University/Vassar Program – Studied British Primary
School “Open Classroom” System

**Professional work:**
Vice President - Human Resources (1983-1997)
American Express Company
New York/San Francisco

Human Resources/Subiary Rights Associate (1980-1983)
Doubleday Publishing Company
New York

Acting VP Human Resources (1997)
Odwell, Inc.
Half Moon Bay

Human Resources Consultant (1998)
Addis Corporation
Berkeley

Implementation of Quality of Worklife Survey for “Start-up” companies
Klein Associates (1999-2001)
Silicon Valley

**Volunteer work:**
Trustee - St. Mark’s School (1996-2001)
Massachusetts
Chair, Committee on Trustees; Admissions Committee

Trustee - Drew High School (1997-2001)
San Francisco
Chair, Committee on Trustees; Development Committee; Chair, Education Committee,
Co-Chair Strategic Planning Committee

Director - San Francisco Zoological Society (1999-present)
Chair, Committee on Directors; Chair, HR Committee; Marketing Committee; Chair,
Search Committee

Trustee – Marin Country Day School (2000-present) – Vice Chair
Co-Chair Search Committee, Head of School; Co-Chair Strategic Planning Committee,
Chair, Committee on Trustees

Board Member – Aspire Public Schools – April, 2007-present
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

Louise Muhlfeld Patterson
3343 Pacific Avenue
San Francisco, CA 94118

Below are my responses to the information requested for prospective Charter School Board members for a charter petition submitted by Aspire Public Schools to the Los Angeles Advice School District Board of Education, Superintendent and staff.

Background

1. Please provide your educational and employment history. My professional background is as a human resources generalist having worked for American Express Company for nearly 15 years and consulting to smaller companies more recently. I have also devoted time to non-profit boards, mostly Independent K-8 and high schools and also the San Francisco Zoo (which is a city owned institution) where I lend expertise around governance and human resources issues (resume attached).

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open. I will be at least 18 years old by January 1, 2012.

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board. I learned of Aspire Public Schools through Steven Merrill and Dick Spalding who also sit on the Aspire Public Schools Board.

4. Please explain why you wish to serve on the board. I believe deeply in education and their institutions and have served on three independent school boards (see resume attached). I'm very interested in public school education and the possibility of charter schools influencing the improvement in public school education.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience. I have served on 2 independent high school boards and am currently serving my 7th year on a K-8 independent school board. My role tends to be focused around governance issues, strategic planning, head searches, fundraising, quality of work life issues.

6. Please describe your understanding of the appropriate role of a public charter school board member. I believe the appropriate role of a public charter school board member is to guide and provide sound counsel around fiscal responsibilities, adherence to legal requirements as laid out by charters, strategic initiatives, and support Executive Director in his/her decisions and development.

7. Please indicate specifically the knowledge and experience that you would bring to the board. My professional background as a human resources professional combined with my non-profit experience has largely focused on leadership and governance issues. Given Aspire's governance aspirations and goals, I hope to lend expertise in areas of organizational development, human resources, board governance, leadership and culture related issues.

8. Please provide a forecast of where you see the school in one year and then again in five years. Aspire has high standards and has a track record of meeting or exceeding these goals. If history is a reasonable guide, I would imagine that this school would achieve a healthy enrollment and achieve its academic expectations. At the end of
four years, I would expect the school to be fully enrolled and meeting or exceeding its academic goals and parent satisfaction measurements. In four years I would expect the school to be fully enrolled and meeting or exceeding its academic goals and parent satisfaction measurements.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)? Should an ethical or particularly challenging situation or issue arise, I would discuss it with the Board Chair, James Willcox, CEO and the Executive Committee and recommend appropriate action.

**Conflict of Interest**

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member. Before I joined the board, I knew and served on the Drew High School board of trustees with Steven Merrill. I have also known Dick Spalding for years as a personal friend. I do not know any prospective board members for Aspire Public Schools Board of Directors.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship. I do not know any prospective board members.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business. Neither I nor my immediate family members know of any plans to do business with this school.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. If your answer is yes, please indicate the individuals you know and the nature of the relationship. Aspire Public Schools is a 501C not-for-profit benefit corporation that is the petitioner for this charter school. To my knowledge, Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship. Neither my spouse nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization or the school itself.

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts. I do not foresee any potential ethical or legal conflicts of interest in serving on the Aspire Public School Board.

**Educational Philosophy**
17. Please describe your understanding of the school's mission and/or philosophy. Aspire Public Schools' mission is to provide a quality education for underserved students through a personalized and rigorous academic program, prepare them for college and to catalyze change in local school systems.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize. I am familiar with the organization's instructional program. Given my short tenure on the board, I have not fully immersed myself into the details of the academic program, but I have visited 2 Aspire schools in the Oakland area, and am learning about their impressive curriculum offerings and rigorous measurement standards.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful? I believe some of the key characteristics of a successful school are strong leadership, excellent teachers, a robust academic program, effective measurements, appropriate funding, board support and guidance, and community and parent support.

______________________________
Name (please print)

______________________________
Signature

______________________________
Date

This request for information was developed by the State University of New York Charter Schools Institute.
PROFESSIONAL EXPERIENCE:
Kearny Venture Partners - September 2006 to Present
Co-Founder & General Partner, Healthcare

Co-Founder & General Partner, Healthcare Venture Capital

ABS Ventures - January 2000 to March 2003
General Partner, Healthcare Venture Capital

Portal Software - February 1997 to March 1999
Vice President & Chief Financial Officer
First CFO of this Internet billing company. Company grew from 20 people to 250 during tenure. Responsible for finance, HR, legal, facilities and investment relations. Oversaw all fund raising, including $10 mill of debt capital and $25 million of equity, and corporate partner transactions.

Fusion Medical Technologies - March 1996 to January 1997
Vice President Finance and Corporate Development
Responsible for financial and administrative functions including HR, communications, legal and investor relations. Responsible for all aspects of the Company’s IPO.

Alex, Brown & Sons - November 1991 to March 1996
Managing Director (January, 1992)
Head of Investment Banking for the West Coast and oversaw the creation and supervision of the Firm’s Japan office. Responsibilities were marketing (as Firm’s senior West Coast representative), transactional (equity financings and mergers), managerial (primarily as regarded internal matters in the office-hiring, firing, ethical matters) and administrative.

Brobeck, Phleger & Harrison - June 1977 to November 1991
Partner (1982)
Law practice involved serving as outside counsel for numerous public and private companies and acting as underwriters’ counsel. Particular experience in securities laws, negotiating corporate partner transactions and mergers and acting as general legal advisor. Firm responsibilities included co-founding of Palo Alto office (grew from 2 to 60 lawyers during tenure). Later headed the Firm’s San Francisco corporate group and co-chaired the Strategic Planning Committee.

O’Melveny & Meyers (Los Angeles) June 1976 to May 1977
Associate

EDUCATION:
Columbia University School of Law (1973 - 1976)
Law Review, Kent Scholar 1974, 1976 (highest annual academic society) Contracts Prize
Harvard University (1968 - 1972)
Cum Laude (General Studies), John Harvard Scholar 1971, 1972 (highest annual academic society)
Phillips Academy, Andover, MA (1964 - 1968)
Cum Laude Society (highest academic society)

PERSONAL:
Born December 1950; excellent health
Married for 33 years, three children (30, 27, 23)
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

Richard Spalding  
Director – Aspire Public Schools

Background

1. Please provide your educational and employment history. Resume Attached

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open. Yes, born December 16, 1950

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board. I was recruited by the Board of Directors based on Steven Merrill's recommendation.

4. Please explain why you wish to serve on the board. I am very interested in improving education in California. Aspire Public Schools was highly recommended by two founders of NewSchools, a non-profit organization supporting education initiatives.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience. I sat on the Board of Trustees of Town School, a private boys' elementary school in San Francisco. I was Chairman of the Finance Committee.

6. Please describe your understanding of the appropriate role of a public charter school board member. My general responsibility as a director is to oversee the activities of the management group so that the leadership is acting consistently with the charter schools' purpose and with their obligations under California law. These obligations include acting in accordance with their fiduciary responsibilities to the organization and must act with reasonable diligence in performing my duties.

7. Please indicate specifically the knowledge and experience that you would bring to the board. I have been a director of public and private companies, a partner in three (3) venture capital firms and a partner in a law firm. My experience included serving as the chief financial officer of a public company. I have a thorough understanding of a director's fiduciary duties.

8. Please provide a forecast of where you see the school in one year and then again in five years. Aspire should look in many ways quite similar to its structure today. It will be involved in several regions of the state, with regional (i.e. localized) oversight for the schools in each area. The home office will continue to grow over the next four years as Aspire continues to move towards its goal of being a sustainable, statewide educational model.

9. How would you handle a situation in which you believe one or more members of the school's board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)? If I thought a board member was engaged in self-dealing, I would raise any issues with the chairperson of the board. If I did not believe an adequate investigation had followed, I would inform Aspire's legal counsel of my concerns and seek my lawyer's advice as to my continuing obligations in this matter, including the appropriateness of addressing my concerns to the Board as a whole or, if warranted, to the appropriate state authority.
Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member. I had a personal friendship with Steven Merrill.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship. See 12.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business. My son Patrick was teacher at Wilson Prep and Aspire school in Oakland, and he previously taught at Capitol Heights in Sacramento.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. No

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider. No

15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship. See 12

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts. None. I will have no involvement in the review in the performance of my son. A specific teacher’s review is not within the Board’s responsibilities and it would be improper for me to behave otherwise.

Educational Philosophy

17. Please describe your understanding of the school’s mission and/or philosophy. Aspire’s mission is clear—to thereby be prepared to operate more effectively in today’s world. It’s philosophy is to establish well defined objectives, for all its constituents, teachers, administration and students, to assess the performance of those objectives and to support its members in achieving them with effective performance reviews.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize. I am familiar with the organization’s instructional program. I consider myself appropriately informed about the school’s education program. I have visited several schools and the education program and results are reviewed at board meetings. As a member of the Finance Committee, I review attendance records by school and am aware of the more and less successful schools in our charter school group.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful? A successful school requires a clear purpose, high standards, effective communication and implementation of both to all school members and integrity. It is the Board’s job to monitor the academic and fiscal performance and the administration fidelity to the organization’s purpose. As needed, we should provide advice in dealing with issues that
arise in these areas, never losing sight of the administration's primary responsibility for day-to-day operation of the schools.

Name (please print) 

Signature 

This request for information was developed by the State University of New York Charter Schools Institute.
JONATHAN GARFINKEL
3625 Baker Street
San Francisco, CA 94123
+1 415 637 5739 (M) / +1 415 743 1682 (W)
jgarfinkel@alumni.stanfordgsb.org

BUSINESS EXPERIENCE
2005 – Today  TPG CAPITAL - Principal  San Francisco & London
2000 – 2003  TPG is a leading global alternative asset manager with over $45 billion of capital
- Currently serve as the firm’s Director of Strategy and Business Development
- Previously led the firm’s investment activities in the financial services industry in the U.S.,
  including asset management, specialty finance, depositories and insurance
- Historically responsible for analyzing, structuring, negotiating and executing private equity
  investments of $100 million to $1 billion, with particular experience in commodity
  industries, retailers, transportation and distressed companies in North America and Western
  Europe
- Current and prior Board of Director seats include: ProSight Specialty Insurance, 2Co
  Energy, Aleris International and Midwest Airlines
- Member of the firm’s Social Responsibility team

NLA was a $300 million Latin American private equity fund sponsored by TPG and Blum Capital
- Built financial models, wrote descriptive memoranda to the firm's investment committee and
  performed due diligence to evaluate prospective transactions throughout Latin America

Global Power & Project Finance Group, servicing electric utilities and independent power producers
- Built financial models and provided valuation analysis

PUBLIC EDUCATION-RELATED EXPERIENCE
2010 – Today  ASPIRE PUBLIC SCHOOLS – Board Member  Oakland, CA
Aspire is a leading charter school manager operating 34 schools serving over 10,000 students

2006 – 2008  EDUCATION FOR CHANGE – Board Member  Oakland, CA
EFC is a charter school manager operating three elementary schools serving ~1,000 students

Summer 2004  NEW SCHOOLS VENTURE FUND – Summer Associate  San Francisco, CA
NewSchools is a venture philanthropy fund dedicated to improving public education

EDUCATION
2003 – 2005  STANFORD UNIVERSITY GRADUATE SCHOOL OF BUSINESS  Stanford, CA
STANFORD UNIVERSITY SCHOOL OF EDUCATION
MBA and MA in Education (joint-degree program)
Co-President of Partnership for Education Club; Co-Chair of Business of Education Conference;
Mentor to a 3rd grader in East Palo Alto through the I Have a Dream program

1993 – 1997  STANFORD UNIVERSITY  Stanford, CA
Bachelor of Arts – Economics
Four-year varsity rower; Stanford in Berlin; Krupp Intern at Credit Suisse in Zürich

ADDITIONAL INFORMATION
- Married with three children: Madelyn (6), Oliver (4) and Annabelle (16 months)
- Founder and Director of The Skag Club, the alumni association of the Stanford rowing program
- Avid but not particularly talented piano and guitar player
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

As you are already aware, serving on a public charter school board is a position of great trust and responsibility. As a board member of a public school, you are not only ultimately responsible for the education of all students enrolled in the school but also entrusted with the obligation to see that the public monies which are given to the charter school are legally and wisely spent.

In providing the information requested, prospective board members will assist the Innovation and Charter Schools Division in determining if the application demonstrates that the school will be run in a financially, organizationally and educationally sound manner.

Yes and No answers will be acceptable however N/A is not on the following questionnaire.

Background

1. Please provide your educational and employment history. Please attach your resume.

PLEASE SEE RESUME – Jonathan Garfinkel

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open.

YES

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board.

I HAVE BEEN ON THE ASPIRE PUBLIC SCHOOLS BOARD FOR APPROXIMATELY ONE YEAR. I WAS ORIGINALLY INVITED TO SIT ON THE BOARD BY JAMES WILLCOX, ASPIRE'S CHIEF EXECUTIVE OFFICER.

4. Please explain why you wish to serve on the board.

FOR THE REASONS WHY I AM HONORED AND PRIVILEGED TO SERVE ON THE ASPIRE BOARD, INCLUDING A PERSONAL PASSION FOR PUBLIC EDUCATION, BELIEF THAT ALL CHILDREN SHOULD BE AFFORDED A HIGH QUALITY EDUCATION, AND ALL CAN ACHIEVE "COLLEGE FOR CERTAIN." ASPIRE IS A PROVEN MODEL FOR ACCOMPLISHING THESE GOALS.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.

I PREVIOUSLY SERVED ON THE BOARD OF EDUCATION FOR CHANGE, A CHARTER SCHOOL MANAGER BASED IN OAKLAND MANAGING THREE ELEMENTARY SCHOOLS. JAMES WILLCOX PREVIOUSLY SERVED AS CHIEF OPERATING OFFICER OF EDUCATION FOR CHANGE

6. Please describe your understanding of the appropriate role of a public charter school board member. TO PROVIDE STRONG, INDEPENDENT GOVERNANCE, AND PROVIDE INDEPENDENT-MINDED ADVICE TO THE MANAGEMENT TEAM.

7. Please indicate specifically the knowledge and experience that you would bring to the board.
I HAVE TWELVE YEARS OF CORPORATE SECTOR AND FINANCE EXPERIENCE, WORKING WITH A WORLD-CLASS PRIVATE EQUITY FIRM. I HAVE SIGNIFICANT CORPORATE BOARD EXPERIENCE, HAVING SERVED ON THE BOARD OF DIRECTORS OF SEVERAL MULTI-BILLION DOLLAR COMPANIES, INCLUDING ALERIS INTERNATIONAL, MIDWEST AIRLINES, PROSIGHT SPECIALTY INSURANCE AND 2CO ENERGY. IN THE EDUCATION FIELD, AS NOTED ABOVE, I HAVE SERVED ON THE BOARD OF A CHARTER SCHOOL MANAGER, WORKED FOR NEWSCHOOLS VENTURE FUND, AND BEEN INVOLVED IN NUMEROUS EDUCATION-RELATED ENDEAVORs. I HAVE AN MBA FROM STANFORD'S GRADUATE SCHOOL OF BUSINESS, AND A MASTERS IN EDUCATION FROM STANFORD'S SCHOOL OF EDUCATION.

8. Please provide a forecast of where you see the school in one year and then again in five years.

UNDER ASPIRE'S STEWARDSHIP, THE CHARTER IS HIGHLY LIKELY TO SEE AN IMMEDIATE IMPROVEMENT IN STUDENT OUTCOMES, WHICH WILL CONTINUE TO IMPROVE OVER TIME.

9. How would you handle a situation in which you believe one or more members of the school's board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)?

ZERO TOLERANCE FOR SUCH THINGS.

Conflicts of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member.

NO

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship.

NO

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business.

NO

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. If your answer is yes, please indicate the individuals you know and the nature of the relationship.

NO

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider.

NO
15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship.

NO

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts.

NO

Educational Philosophy

17. Please describe your understanding of the school’s mission and/or philosophy.

ASPIRE UTILIZES A CONSISTENT MISSION AND PHILOSOPHY ACROSS ITS 30+ SCHOOLS, WHICH IS TO PROVIDE A "COLLEGE FOR CERTAIN" PATH FOR ALL STUDENTS.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize.

PER ABOVE, I AM QUITE FAMILIAR WITH THE ASPIRE PROGRAM, WHICH INCLUDES RIGOROUS TEACHER QUALIFICATION AND TRAINING, EXTENSIVE USE OF DATA TO BETTER GUIDE AND CUSTOMIZE TEACHING, AND A COLLABORATIVE CULTURE WITHIN THE SCHOOLS AND THE OVERALL ASPIRE NETWORK.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

OUTSTANDING TEACHERS, OUTSTANDING LEADERSHIP, HIGH ASPIRATIONS, A MINDSET THAT ALL CHILDREN CAN LEARN AND EXCEL, MENTORSHIP, COLLABORATION, USE OF DATA, COMMUNITY INVOLVEMENT, AND A MUTUAL COMMITMENT OF ALL THOSE INVOLVED TO SEE STUDENTS ACHIEVE AND GO TO COLLEGE.

________________________________________
Name (please print)

________________________________________
Signature

________________________________________
Date

This request for information was developed by the State University of New York Charter Schools Institute.
18. Please indicate your level of familiarity with the educational program that the school proposes to utilize.

PER ABOVE, I AM QUITE FAMILIAR WITH THE ASPIRE PROGRAM, WHICH INCLUDES RIGOROUS TEACHER QUALIFICATION AND TRAINING, EXTENSIVE USE OF DATA TO BETTER GUIDE AND CUSTOMIZE TEACHING, AND A COLLABORATIVE CULTURE WITHIN THE SCHOOLS AND THE OVERALL ASPIRE NETWORK.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

OUTSTANDING TEACHERS, OUTSTANDING LEADERSHIP, HIGH ASPIRATIONS, A MINDSET THAT ALL CHILDREN CAN LEARN AND EXCEL, MENTORSHIP, COLLABORATION, USE OF DATA, COMMUNITY INVOLVEMENT, AND A MUTUAL COMMITMENT OF ALL THOSE INVOLVED TO SEE STUDENTS ACHIEVE AND GO TO COLLEGE.

Jonathan Garfield
Name (please print)

Signature

This request for information was developed by the State University of New York Charter Schools Institute.
Beth Hunkapiller
1333 Pebble Drive • San Carlos, California • 650-592-3580 (Home) • 650-533-4485 (Cell)

EMPLOYMENT

Los Angeles Times—Journalism Intern—(1970-1972)
Mountain View School District • El Monte, California—(1973-1983)
  • 8th Reading and English Teacher—(1973-1977)
  • Assistant Principal—(1978-1983)
California Department of Education—(2009 to 2011)
  • Director Charter Schools Division

EDUCATION

BACHELOR OF ARTS, ENGLISH AND POLITICAL SCIENCE—Oklahoma Baptist University
MASTER OF SCIENCE—University of Southern California

CREDENTIALS

K-9 Standard Life Teaching—University of California, Irvine
Administrative Services—California State University, Los Angeles

RELEVANT EXPERIENCES

Founder, San Carlos Charter Learning Center
Member, San Carlos School District Board—(1993 to Present)
Member, California Advisory Commission on Charter Schools—(2002-2011)
Chairperson, California Advisory Commission on Charter Schools—(2008-2010)
Member, Aspire Public Schools Board—(2002-2010)
Chairperson, Aspire Public Schools Board—(2005-2010)

PROFESSIONAL MEMBERSHIPS

California School Boards Association
Phi Delta Kappa
Beth Hunkapiller  
1333 Pebble Drive  
San Carlos, Ca 94070  

Included are my responses to the questionnaire for prospective governing board members for a charter petition submitted by Aspire Public Schools to the LAUSD Board of Education, superintendent and staff.

1. I worked ten years in public education between 1973 and 1983, five as an 8th grade reading and English teacher at Kranz Intermediate in the Mountain View School District in El Monte, California, and five years as a vice principal in the same school. Additionally, I taught reading in an Upward Bound reading lab program to college freshmen and have taught 2 year olds, 3 year olds, and parents in a parent cooperative preschool. Prior to teaching, I worked as an intern at The Kansas City Star and The Los Angeles Times. In addition to having earned a teaching credential and administrative credential, I hold a master's degree in Curriculum and Instruction from USC. For the last 15 years, I've worked in a volunteer capacity and do not have a resume.

2. I will be far beyond 18 years of age by January 1, 2008; my date of birth is August 17, 1949.

3. I'm honored to be one of the longest serving members of Aspire's Board of Directors. Don Shalvey asked me to serve on Aspire's board after knowing me eight years as a San Carlos School District board member. After Aspire formed and he concluded his employment with the school district, I joined the Aspire board where my continuing service on both the San Carlos board and the Aspire board bring reflection, learning and clarity about governance.

4. Aspire's mission to provide young people with a high quality education and the opportunity to attend college is noble and rewarding work. I wish to serve because I believe I play an effective role in helping the board exercise its role in the organization's accomplishment of its mission.

5. I've served fourteen years on the San Carlos School District Board of Trustees with four terms as chair. I've served as a member of the San Carlos Charter Learning Center Governing Board for three years and also been on the Caltech/JPL Child Development Center Board of Directors. Also relevant is the charter school oversight role I have as a founding member of the Advisory Commission on Charter Schools where I've served since the Commission formed in 2000.

6. The appropriate role of a public charter school board member is to oversee the fulfillment of the fiscal, legal and academic requirements of a school to the highest standards achievable. Board members should act collectively and in conformance with the Brown Act.

7. I've been a thoughtful observer of California public education, taking my experiences as a school board member in northern California with my experiences as a staff member in a much poorer area in California and combining both with the study of many charter schools and districts from all over California as I've sat on the Advisory Commission on Charter Schools. I've examined hundreds of charter school budgets, seen dozens of petitions, participated in appeals, revocations, and listened and participated in the development of many policy recommendations for the State Board. Further, my membership on Aspire's Board is deeply thoughtful,
results focused, analytical and strategic work that I have every expectation would benefit a new LAUSD charter granted to Aspire. Other specific experience I have which is less relevant now, but unforgettable, is as a founder of the San Carlos Charter Learning Center, whose petition was the first submitted to the State under the 1992 Charter Schools Act. My current involvement on its governance council is deep, highly rewarding and instructive to me.

8. The staff is forecasting that by the end of the first year of operation, the school will be fully enrolled with average daily attendance of students at a minimum of 95% and an API will be comparable to schools in the immediate neighborhood. At the end of four years, we project the school to be fully enrolled and 95% of the parents will give the school an A or a B on the annual Aspire parent survey. The school will be fiscally sound and academic performance will be high as measured by a similar school rank of 8 or above. By the 6th year the school’s API will exceed 800.

9. As chair of the board and member of the audit committee, I discuss with the audit committee conflict of interest issues regularly. Should an issue of board member self-dealing or conflict of interest be reported to me by staff or board members, I would gather facts and analyze the matter with both the CEO and the other audit committee members. If the matter involved any member of this group, I would ask the Executive committee to discuss the issue with me, recommend steps to resolution or discipline. Should hiring improprieties or contract conflict of interests occur, staff and/or board would move quickly to correct.

10. I don’t know of any prospective board members.

11. I know no prospective employees.

12. I don’t know anyone who may do business with the school.

13. Aspire is a 501C not-for-profit public benefit corporation. It has no plans to partner with any other educational service provider for managing or supporting the proposed charter. Aspire is the petitioner.

14. Aspire is a 501C not-for-profit public benefit corporation. It has no plans to partner with any other educational service provider for managing or supporting this proposed charter. Aspire is the petitioner.

15. Neither my spouse nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization “CMO” or the school itself.

16. I don’t foresee any potential ethical or legal conflict of interest as a result of my service for the Aspire Public Schools Board of Directors.

17. Aspire’s educational model is to design and to provide students with access to opportunities and tools to succeed in higher education, work and citizenship. Through personalized learning experiences, students learn and master skills needed
in the California standards for rigorous work and post secondary life. To maintain a consistent high quality result, Aspire tracks school performance and outcomes with a "balanced scorecard".

Aspire’s education design has seven core elements. Each is aligned with the others.

1. High standards and clear learning objectives;
2. A sense of community;
3. More time for learning;
4. A balanced curriculum;
5. A variety of teaching methods;
6. Rigorous and ongoing assessment;
7. Extra support for students as needed.

It is Aspire’s belief that a culture of “college for certain” should be part of every decision and every interaction with students and adults.

18. I’d love to think I truly understand and lead in what makes Aspire work for its students, parents and staff. But in truth, I feel fortunate to have a good sense of it. All of us on the board are results oriented and committed to a performance culture that tackles and solves every set of challenges in front of us. What hasn’t changed for staff in all of Aspire’s development (and this is a remarkable tribute to staff’s understanding of what’s required for students to achieve educationally) is the focus on the model’s core elements, including coaching and professional development for staff, as new teachers have joined Aspire. Each element of the model has mattered — from culture to the rigor of the cycle of inquiry to the level of support for students to clarity and certainty around where children are going. Aspire’s steady, and now scaling, commitment to systematizing the model’s elements, to standards, assessment, and to competence of educators is critical to supporting children’s academic success.

19. We are agreed the following statements represent the key characteristics of a successful school.

a. The highest performing schools have teachers who take responsibility for student achievement and believe that the school has a well defined plan for instructional improvement.

b. The organizational leaders, the principal and the teachers utilize state standards to guide curriculum and instruction.

c. The school has identified essential and key standards. The principal is a knowledgeable source regarding these key standards.

d. Aspire Public Schools provides constant information to all teachers regarding these standards.

e. Aspire provides constant information to all staff regarding the standards.

f. The school materials are aligned with state standards.

g. The school maps and the state curriculum standards are articulated lesson plans by each staff member.
h. There is a program of frequent and ongoing assessment with the data review regularly with the process of inquiry.

i. Student performance is frequently monitored in order to provide appropriate support both during the day and with after school programs.

j. The school has high expectations and takes responsibilities for every student’s achievement.

k. The school culture and vision is focused on student learning.

l. The school culture and all adults in the school are committed to improving student learning.

m. The organization and the principal communicate a clear vision for the school.

n. The principal and all teachers set high standards for student learning.

o. The school culture is focused on performance and an undying belief that all students can learn and achieve.

p. All the school systems including finance, human resources, time and space are focused on the intellectual personal and social development of all students.

As a member of the Board of Directors, it is my responsibility to monitor fiscal, instructional and organizational systems to assure they are all aligned with the mission and philosophy and stated outcomes of the school. It is also my responsibility to provide guidance and to help develop both monitoring systems and policies that build public trust with students, families and citizens of California.

Beth Huntsepiller
Signature
May 2012
Gregory W. Jones
650-333-4485; Gjones4sj@aol.com

EMPLOYMENT

State Farm General Insurance—President and CEO (1968-2008)
National Assessment Governing Board—Vice Chair (Present)

EDUCATION

Bachelor of Arts, Business—Franklin University
Master of Arts—Hood College
Master of Arts—University of Pennsylvania-Wharton Business School

PROFESSIONAL MEMBERSHIPS

Board of Directors (former)- California State Board of Education
Board of Directors- State Farm General Insurance
Chairman of the Board - Los Angeles Urban League
Board of Directors- California Education for Excellence Foundation
Board of Directors- Operation Hope
Board of Directors- Junior Achievement of Southern California
Board of Directors- California Chamber of Commerce
Board of Directors- NCAA Leadership Advisory Board
Board of Directors- Tiger Woods Learning Center
Board of Directors- Los Angeles Sports Council
Board of Trustees- Franklin University
Board of Trustees, Board of Directors- National Urban League
Founder—100 Black Men of Sonoma County, California (1990)
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

As you are already aware, serving on a public charter school board is a position of great trust and responsibility. As a board member of a public school, you are not only ultimately responsible for the education of all students enrolled in the school but also entrusted with the obligation to see that the public monies which are given to the charter school are legally and wisely spent.

In providing the information requested, prospective board members will assist the Charter Schools Division in determining if the application demonstrates that the school will be run in a financially, organizationally and educationally sound manner.

Yes and No answers will be acceptable however N/A is not on the following questionnaire.

Background

1. Please provide your educational and employment history. Please attach your resume.

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open.

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board.

4. Please explain why you wish to serve on the board.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.

6. Please describe your understanding of the appropriate role of a public charter school board member.

7. Please indicate specifically the knowledge and experience that you would bring to the board.

8. Please provide a forecast of where you see the school in one year and then again in five years.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)?
Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. If your answer is yes, please indicate the individuals you know and the nature of the relationship.

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider.

15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship.

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school's board. If so, describe such potential conflicts.

Educational Philosophy

17. Please describe your understanding of the school's mission and/or philosophy.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

______________________________
Name (please print)

______________________________
Signature

9/13/12
Date

This request for information was developed by the State University of New York Charter Schools Institute.
1. Attached
2. Yes
3. I became aware of Aspire while serving as a member of the California State Board of Education
4. Aspire has been an outstanding example of providing quality education to poor and minority students. I hope to continue my involvement in education in that pursuit.
5. I have been or currently a member of the following: Ca. State Board of Education, Chairman California Business for Education Excellence, Co Chairman Commission on 12th Grade Preparedness, Tiger Woods Foundation, Los Angeles Urban League
6. To provide guidance, expertise and oversight to assure the objectives of the school are being met and the focus on excellence is being maintained.
7. As the CEO of a major corporation I can bring a business focus on results as well as business principles and their application in education.
8. Aspire is already performing at a high level. My hope is that within a year Aspire will continue to grow and provide an avenue for even more young people to achieve.
9. That would be a violation of the core principles of Aspire and should be brought to the attention of the full board.
10. No
11. No
12. No
13. No
14. No
15. No
16. No
17. Aspire's mission is to provide an outstanding educational experience which allows students to achieve at their very best. Providing instruction, resources and culture that prepares its students to be college ready when they graduate.
18. While I have yet to attend a board meeting, through my reading and research I'm becoming more familiar with all of Aspire's educational programs.
19. I believe successful schools start with the belief that every child can learn. It then must have school leaders who create a positive, constructive, innovative and motivational culture for learning. They must have teachers who believe in students, are continuously learning themselves and apply the most current and proven teaching methods. Finally, successful schools engage the entire school community to support its efforts, parents, community leaders and staff. Having the highest expectations of students, faculty and parents are the key to success. The board is responsible for helping set those expectations and priorities and holding themselves and all stakeholders accountable.
SUPPORTING DOCUMENT 10
Aspire Public Schools Board Resolution
ASPIRE PUBLIC SCHOOLS

RESOLUTION OF THE BOARD OF DIRECTORS
RE ASPIRE OLLIN UNIVERSITY PREPARTORY ACADEMY
(formerly ASPIRE CENTENNIAL COLLEGE PREPARATORY ACADEMY)
CHARTER RENEWAL PETITION

October 24, 2013

The meeting of the Board of Directors of Aspire Public Schools ("Aspire") was called to order on October 24, 2013. The meeting was held pursuant to notice and a quorum was present for the transaction of business.

WHEREAS, Aspire wants to serve the community of Huntington Park in the Los Angeles Unified School district;

WHEREAS, Elise Darwish is the acting Area Superintendent for Los Angeles;

WHEREAS, Jennifer Garcia is an experienced Aspire principal;

WHEREAS, Erica Aguilar is an experienced Office Manager.

NOW, THEREFORE, BE IT RESOLVED that: The Board of Directors of Aspire Public Schools authorizes Elise Darwish to act as the Lead Petitioner to officially submit the charter renewal petition to Los Angeles Unified School District with Jennifer Garcia as Principal of Aspire Ollin University Preparatory Academy, formerly Aspire Centennial College Preparatory Academy, and Erica Aguilar as the person responsible for handling checks/cash on-site.

I, Emmile Brack, hereby certify that I am the current and duly empowered Interim Board Secretary of Aspire Public Schools, that the foregoing Resolution was duly adopted by the Board of Directors at the meeting held on October 24, 2013, at which meeting a quorum was present and acting, that the Resolution is in full force and effect, that the same has not been modified or rescinded, and that it is not contrary to any provisions of the Articles of Incorporation or the Bylaws of Aspire.

Executed this 24th day of October, at Oakland, California.

[Signature]
Emmile Brack
Interim Board Secretary
APPENDIX A

Personalized Learning Plan
# Appendix A

**Aspire – Ollin University Prep. Academy**

**Personalized Learning Plan**

<table>
<thead>
<tr>
<th>Name:</th>
<th>Teacher:</th>
<th>Date:</th>
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<table>
<thead>
<tr>
<th>Goal</th>
<th>Stepping Stones</th>
<th>Support people</th>
<th>By When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal #1:</td>
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<td>Goal #2:</td>
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<tr>
<td>Goal #3:</td>
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</table>
APPENDIX B

Aspire Plan to Transition to Common Core Standards
Overview:
Knowing that at the end of the 2014-2015 school year California and Tennessee students will take new assessments based on the CCSS:
2012-2014 – Learning and Planning Year
2013-2014– Build Tools and Pilot Ideas as necessary around:
- IGs
- Pacing guides
- Assessments
- Text adoption (where appropriate)
2014-2015 – Use the tools

Work Done To Date and Notes on Work to Come:

<table>
<thead>
<tr>
<th>Pacing Guides</th>
</tr>
</thead>
<tbody>
<tr>
<td>K-5 ELA Pacing Guides have been drafted and will be piloted in Memphis this coming school year (2013-2014).</td>
</tr>
<tr>
<td>K/1 Teachers in California who are interested can also pilot the draft Pacing Guides.</td>
</tr>
<tr>
<td>2-5 Teachers in California are advised to remain focused on the CST since that will be the test our students in CA take at the end of next year</td>
</tr>
<tr>
<td>6-12 Pacing Guides will be drafted in 2013-2014 once new texts have been adopted (where appropriate).</td>
</tr>
<tr>
<td>Note, while teachers will pilot, we don’t advise purchasing entire school sets of any curriculum until we have run the pilots and vetted the options.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessments</th>
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</thead>
<tbody>
<tr>
<td>K-5 ELA and Math Common FORMATIVE Assessments will be written over the course of this coming year and piloted in Memphis as they are written</td>
</tr>
<tr>
<td>Since, in California, all of our students will take the CST in the spring of 2014, teachers will not use these assessments this year. Interested K/1 Teachers may pilot them. (<a href="#">Would like to outsource this – Funding? Who? When?</a>)</td>
</tr>
<tr>
<td>6-12 Assessments will be drafted in 2013-2014. (<a href="#">Would like to outsource this – Funding? Who? When?</a>)</td>
</tr>
<tr>
<td>All K-12 Summative or “Pre CCSS” tests like our current “Pre CST” tests will be drafted after many more of the release questions and sample assessments are available.</td>
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</table>

<table>
<thead>
<tr>
<th>Instructional Guidelines</th>
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</thead>
<tbody>
<tr>
<td>We will make any/all revisions to the IGs in 2013-2014.</td>
</tr>
<tr>
<td>We anticipate that the IGs may not need an enormous overhaul but they will need to emphasize some IGs more than others in order to align with the CCSS goals.</td>
</tr>
</tbody>
</table>

2013-2014 Goals:

By June 2014 (for implementation across Aspire in Fall 2014):
- Content Coach Teams have a shared language and deep understanding of CCSS
- Aspire IG’s are aligned w/ CCSS
- Aspire Pacing Guides are aligned w/ CCSS
- Aspire assessments will be aligned w/ CCSS assessments
- Exploration and piloting of texts to adopt. (Unwise to purchase whole school sets of curriculum until after the first CCSS results are back and we can
- Summer Training for New and Veteran Teachers on CCSS

<table>
<thead>
<tr>
<th>Action Step</th>
<th>Timeline (target date)</th>
<th>Roles (RAPID)</th>
<th>Resources Needed</th>
<th>Specifics of Implementation</th>
<th>Measures of success</th>
</tr>
</thead>
<tbody>
<tr>
<td>Build Coach Capacity...help coaches become and feel like experts on CCSS</td>
<td>Check-in Jan 2014</td>
<td>R: CC coaches</td>
<td>- Materials, time for PD, PD budget</td>
<td>- CCSS Leads will work with Coach Directors to use Regional and Common Coach meeting time for coaches to learn about CCSS</td>
<td>- Coach confidence and ability to lead PD about CCSS</td>
</tr>
<tr>
<td></td>
<td>Aim for on or before</td>
<td>I: all coaches</td>
<td></td>
<td>- Run strategic pilots</td>
<td>- Resources readily available and easy to find on the Purple Planet</td>
</tr>
<tr>
<td></td>
<td>April 2014 coach</td>
<td>A: JN/MP</td>
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<tr>
<td></td>
<td>meeting</td>
<td>D: CC Coaches</td>
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<td>P: CC Coaches</td>
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<td>June 2013</td>
<td>Principals and coaches recommend/nominate</td>
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<td>- CCSS Coaches: email Principals w/ timeline and selection criteria</td>
<td>- Job description and criteria complete and approved</td>
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<td></td>
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<td>R: CC Coaches</td>
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<td>- Make selection criteria</td>
<td>- Budget allocated</td>
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<td></td>
<td></td>
<td>I: all coaches</td>
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<td>A: JN/MP</td>
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<td>D: CC Coaches</td>
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<td>P: CC Coaches</td>
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<td></td>
<td>Aug. 2014 onward</td>
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<td></td>
<td>- Principal nominate Common Core Drivers by July 1\textsuperscript{st}, 2013</td>
<td>- We have CCSS Drivers at each site (2 for secondary - 1 ELA &amp; 1 Math)</td>
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<td></td>
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<td>- Develop CCSS Driver PD meeting calendar for 2013-2014</td>
<td>- CCSS Drivers meet and understand their role for 2013-2014 school year</td>
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<td>- Meet twice in first semester 2013-2014 school year</td>
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<td>- Run strategic pilots</td>
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<td>- Share current CCSS articles w/ sites</td>
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<tr>
<td>Action Step</td>
<td>Timeline (target date)</td>
<td>Lead Person(s)</td>
<td>Resources Needed</td>
<td>Specifics of Implementation</td>
<td>Measures of success</td>
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<tr>
<td>Revise IG’s</td>
<td>Present to July 2013</td>
<td>All coaches</td>
<td>IGs, CCSS</td>
<td>Do an initial revision of IG’s and map current IGs to CC Shifts as able. If possible, focus on particular IG’s at NTT that are well-aligned w/ the CC Shifts.</td>
<td>IG’s are better aligned w/ CCSS</td>
</tr>
<tr>
<td></td>
<td>July 2013 to April 1, 2014</td>
<td>R: CC coaches I: all Coaches, teachers, principals A: ED D: JN/MP P: all Coaches</td>
<td>IGs, CCSS</td>
<td>Complete IG revisions including addition of meta-cognitive reflection. Have a focus group outside of coach team that would advise the revision process (buy in, not surprised) – maybe meet twice with this advisory panel of leads/principals. Change name of IG’s to AIM (if agreed by all – collaborative process). A brainstorm session for how best to communicate changes to the seasoned teachers/school – CC Driver drives the work. Communicate revisions to schools. Create systems to onboard all teachers (via CCSS Driver). ID common IGs across disciplines. Establish foundational IG’s. Set up monthly PD times at each site for CC Driver and possibly a coach to present. Identify what we can learn from our Memphis schools’ early work in K-5</td>
<td>IG’s are revised by June 2014. IG name is finalized. Sites begin implementing plan for on-boarding of new “IG’s”</td>
</tr>
<tr>
<td></td>
<td>April 1, 2014 to May 31, 2014</td>
<td>I: all coaches, teachers, principals A: JN/MP D: CC Coaches P: all Coaches</td>
<td></td>
<td>Deliver new AIM product to K-5 and 6-12 teachers. Provide sample schedules that show how AIMS can be implemented</td>
<td>Sites begin implementing plan for on-boarding of new “IG’s”</td>
</tr>
<tr>
<td>Revise Pacing Guides**</td>
<td>April 2014-</td>
<td>R: CC coaches</td>
<td></td>
<td>Identify what we can learn from our</td>
<td>Pacing Guides are</td>
</tr>
<tr>
<td>Action Step</td>
<td>Timeline (target date)</td>
<td>Lead Person(s)</td>
<td>Resources Needed</td>
<td>Specifics of Implementation</td>
<td>Measures of success</td>
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<tr>
<td>Common Core Messaging to create buy-in</td>
<td>2013</td>
<td>R: CC coaches</td>
<td>R: CC coaches</td>
<td>- Address change management and build leaders’ capacity to manage change</td>
<td>Teammate Survey</td>
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<tr>
<td></td>
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<td>I: CC Drivers, all coaches, teachers, principals</td>
<td>I: CC Drivers, all coaches, teachers, principals</td>
<td>- Reinforce the ways that CCSS is aligned w/ AIR (shrink the change)</td>
<td>PD Surveys</td>
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<tr>
<td></td>
<td></td>
<td>A: ED</td>
<td>A: ED</td>
<td>- Share plan</td>
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<td></td>
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<td>D: CIA/CC Coach</td>
<td>D: CIA/CC Coach</td>
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<tr>
<td>LDC/MDC Incubation</td>
<td>P: ED, CC Drivers, all Coaches</td>
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<td><strong>Begin June 2013 through June 2014</strong></td>
<td><strong>LDC</strong></td>
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<tr>
<td>R: CIA</td>
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<tr>
<td>I: all Coaches</td>
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<td>D: CIA</td>
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<td>P: all coaches, teachers</td>
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<td>MDC</td>
<td><strong>LDC</strong></td>
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<td>R: CIA</td>
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<td>I: JG</td>
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<td>A: ED, principal, AF</td>
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<td>D: CIA, JG</td>
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<td>P: CIA, teachers</td>
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<tr>
<td>- Incubate LDC/MDC at selected sites</td>
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<td>- Participate in LDC/MDC collaboration</td>
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<td>- LDC: create CCSS aligned units of study using the LDC planning modules</td>
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<td>- Level of rigor of LDC modules after peer jurying</td>
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<td>- MDC?</td>
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<thead>
<tr>
<th>Pilot Teachers</th>
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<tbody>
<tr>
<td><strong>Fall 2013-Spring 2014</strong></td>
<td><strong>Parameters:</strong></td>
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<tr>
<td>R: ED</td>
<td></td>
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<tr>
<td>I:</td>
<td></td>
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<tr>
<td>A: ED</td>
<td></td>
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<tr>
<td>D: ED</td>
<td></td>
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<td>P:</td>
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<tr>
<td>Teacher Selection and running the process:</td>
<td></td>
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<tr>
<td>R: CC Coaches</td>
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<tr>
<td>A: ED</td>
<td></td>
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<tr>
<td>P: CC Coaches and teachers</td>
<td></td>
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<tr>
<td>I: Principals, teachers</td>
<td></td>
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<tr>
<td>D: Area Supes</td>
<td></td>
</tr>
<tr>
<td>- K/1 pilots at various sites</td>
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<tr>
<td>- Other sites/teachers at ED discretion</td>
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</tbody>
</table>

**It will be imperative that the whole coach team participate in developing and co-writing each of these pieces. This means CCSS Leads cannot do the work alone and that coaches cannot take a backseat. It will be a collaborative effort. This might look like an entire K-5 (or 6-12) content team sitting down to look at an IG (or Pacing Guide) and talking thoroughly about how to better align it w/ CCSS. The CCSS Lead will then take those notes that represent everyone’s voice and type them up and send them out for more feedback.**

**Other Questions:**
- What is the role of Area Sups & Principals?
- Who is driving the development of Area Sups & Principals?
- Who, how, when communicating organizational structure? Attach to this document?
- Who will write assessments? Outsource? Funding?

RAPID Decision-Making Roles Explanation:

- "R" stands for "recommender"—the person who initiates or drives the process. The "R" is the "go to" person who sticks with the process from start to finish, ensures that others understand what they need to do, and keep things moving along. In other words, the "R" does most of the work to secure the decision.

- "I" stands for "input." An "I" must be consulted before a decision is made. Although an "I" has the right to be heard, he or she does not have a vote or a veto. Including someone as an "I" says that the organization values his or her opinion.

- "A" stands for an individual who needs to "agree with" or "approve" a decision. An "A" is essentially an "I" with more power; an "A" has a vote and a veto. Naming someone an "A" means that the organization needs their support. Generally, the more people with an "A," the more time and effort it takes to make a decision.

- "D" means "decide." The "D" has final authority, and is the only individual who can commit the organization to action—hiring someone, spending money, or making a legally-binding agreement. Things get done only after the "D" gives the okay. Generally, the "D" is one person. But if, for example, a board of directors has a parliamentary voting structure, then the "D" would mean the group of people who constitute the winning vote.

- "P" stands for "perform." This is a person who carries out the decision once it has been made. Often, an individual who is a "P" is also an "I." You've no doubt heard at least one person say something like, "This is a mess. If only they had asked me before they decided. I could have told them . . ." It's unlikely that a "P" who is also an "I" will feel the need to say that.
APPENDIX C

Mapping of ELD Standards
## ASPIRE OLLIN UNIVERSITY PREP. ACADEMY

Map of English Language Development Standards to Aspire Instructional Guidelines

<table>
<thead>
<tr>
<th>Listening &amp; Speaking Substrand</th>
<th>Standard – Beginning ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehension</td>
<td>Answer simple questions with one-to-two word responses. Respond to simple directions and questions by using physical actions and other means of nonverbal communication (e.g., matching objects, pointing to an answer, drawing pictures). Begin to speak with a few words or sentences by using a few standard English grammatical forms and sounds (e.g., single words or phrases). Use common social greetings and simple repetitive phrases independently (e.g., Thank you, You're welcome). Ask and answer questions by using phrases and simple sentences. Retell stories by using appropriate gestures, expressions and illustrative objects.</td>
<td>Shared Reading, Discussions, Guided Reading, Discussions</td>
</tr>
<tr>
<td>Organization and Delivery of Oral Communication</td>
<td>Begin to be understood when speaking, but usage of standard English grammatical forms and sounds (e.g., plurals, simple past tense, pronouns [he or she]) may be inconsistent. Orally communicated basic persona; needs and desires (e.g., May I got to the bathroom?)</td>
<td>Guided Reading, Shared Reading</td>
</tr>
</tbody>
</table>

| Listening & Speaking Substrand | Standard – Advanced ELD Level                                                                 | Strategies                  |
| Comprehension                  | Demonstrate understanding of most idiomatic expressions (e.g., Give me a hand) by responding to such expressions and using them appropriately. | Discussion, Guided Reading, Shared inquiry |
| Organization and Delivery of Oral Communication | Negotiate and initiate social conversations by questioning, restating, soliciting information, and paraphrasing the communication of others. | Discussion, Guided Reading, Literature Circles, Read aloud, DRTA Shared inquiry |

| Reading                        | Standard – Beginning ELD Level                                                                 | Strategies                  |
| Phonic Awareness and Decoding and Word Recognition | Recognize and produce the English phonemes that are like the phonemes students hear and produce in their primary language. Recognize and produce English phonemes that are unlike the phonemes students hear and produce in their primary language. | Mini-lesson, Word work |

| Phonemic Awareness, Decoding and Word Recognition, Concepts About Print | Produce most English phonemes while beginning to read aloud | Read aloud, Shared Reading |

<p>| Vocabulary and Concept Development | Produce simple vocabulary (e.g., single words or very short phrases) to communicate basic needs in social and academic settings (e.g., location, greetings, classroom objects). Demonstrate comprehension of simple vocabulary with an appropriate action. Retell stories by using simple words, phrases and sentences. Recognize simple affixes (e.g., educate, education), prefixes (e.g., dislike, preheat), synonyms (e.g., big, large), and antonyms (e.g., hot, cold). Begin to use knowledge of simple affixes, prefixes, synonyms, and antonyms to interpret the meaning of unknown words. | Mini-lessons, Word work, Literacy centers, Shared reading, Guided reading, Word Work, Literacy centers, Read aloud, Guided Reading |</p>
<table>
<thead>
<tr>
<th>Reading Comprehension</th>
<th>Standard – Beginning ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehension</td>
<td></td>
<td></td>
</tr>
<tr>
<td>of Grade-Level Appropriate Text</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Response orally to stories read aloud and use physical actions and other means of nonverbal communication (e.g., matching objects, pointing to an answer, drawing pictures).</td>
<td></td>
<td>Read aloud/DRTA Discussion Shared reading Guided reading</td>
</tr>
<tr>
<td>Responds orally to stories read aloud, giving one-to-two word responses to factual comprehension questions (who, what, when, where and how). Understand and follow simple one-step directions for classroom-related activities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structural Features of Informational Materials</td>
<td>Identify the basic sequence of events in stories read aloud, using important words or visual representations, such as pictures and story frames.</td>
<td>Guided Reading Read aloud Minilessons</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reading</th>
<th>Standard – Intermediate ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phonemic Awareness and Decoding and Word Recognition</td>
<td>Produce English phonemes while reading aloud. Recognize sound/symbol relationships and basic word formation rules in written text (e.g., basic syllabication rules and phonics). Apply knowledge of English phonemes in oral and silent reading to derive meaning from literature and texts in content areas.</td>
<td>Mini-lesson Word Work Read aloud Guided reading Independent reading</td>
</tr>
<tr>
<td>Vocabulary and Concept Development</td>
<td>Use more complex vocabulary and sentences to communicate needs and express ideas in a wider variety of social and academic settings. Recognize simple antonyms and synonyms (e.g., good, bad, blend, mix) in written text. Expand recognition of them and begin to use appropriately. Apply knowledge of vocabulary to discussions related to reading tasks. Read simple vocabulary, phrases, and sentences independently. Read narrative and expository texts aloud with the correct pacing, intonation and expression. Use expanded vocabulary and descriptive words in oral and written responses to written texts. Recognize and understand simple idioms, analogies, and figures of speech in written text. Recognize that some words have multiple meanings and apply this knowledge to written text. Recognize the function of connectors in written text (e.g., first, then, after that, finally).</td>
<td>Mini-lesson Read aloud Independent reading Word work Guided reading D.O.L. Literature circles</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reading</th>
<th>Standard – Advanced ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phonemic Awareness and Decoding and Word Recognition</td>
<td>Apply knowledge of sound/symbol relationships and basic word-formation rules to derive meaning from written text (e.g., basic syllabication rules, regular and irregular plurals, and basic phonics).</td>
<td>Word work Guided reading Mini-lesson centers Independent reading</td>
</tr>
<tr>
<td>Vocabulary and Concept Development</td>
<td>Apply knowledge of academic and social vocabulary while reading independently. Be able to use a standard dictionary to find the meanings of unfamiliar words. Interpret the meaning of unknown words by using knowledge gained from previously read text. Understand idioms, analogies, and metaphors in conversation and written text.</td>
<td>Word work Mini-lesson Independent reading</td>
</tr>
<tr>
<td>Reading Comprehension</td>
<td>Standard – Intermediate ELD Level</td>
<td>Strategies</td>
</tr>
<tr>
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<td>------------</td>
</tr>
<tr>
<td>Comprehension and Analysis of Grade-Level Appropriate Text</td>
<td>Understand and follow simple written directions for classroom-related activities. Read text and orally identify the main ideas and draw inferences about the text by using detailed sentences. Read and identify basic text features, such as the title, table of contents, and chapter headings. Respond to comprehension questions about text by using detailed sentences (e.g., the brown bear lives with his family in the forest).</td>
<td>Shared reading Guided reading Mini-lesson</td>
</tr>
<tr>
<td>Structural Features of Information Features</td>
<td>Identify, using key words or phrases, the basic sequence of events in stories read.</td>
<td>Shared reading Guided reading Mini-lesson centers</td>
</tr>
<tr>
<td>Reading Comprehension</td>
<td>Standard – Advanced ELD Level</td>
<td>Strategies</td>
</tr>
<tr>
<td>Comprehension and Analysis of Grade-Level Appropriate Text</td>
<td>Read and orally respond to familiar stories and other texts by answering factual comprehension questions about cause-and-effect relationships. Read and orally respond to stories and texts from content areas by restating facts and details to clarify ideas. Explain how understanding of text is affected by patterns of organization, repetition of main ideas, syntax, and word choice. Write a brief summary (two or three paragraphs) of a story.</td>
<td>Guided reading Mini-lesson Literature centers</td>
</tr>
<tr>
<td>Writing</td>
<td>Standard – Beginning ELD Level</td>
<td>Strategies</td>
</tr>
<tr>
<td>Penmanship</td>
<td>Copy the alphabet legibly. Copy words posted and commonly used in the classroom (e.g., labels, number names, days of the week).</td>
<td>Independent writing Interactive writing centers Word work Spelling sentence</td>
</tr>
<tr>
<td>Organization and Focus</td>
<td>Write simple sentences by using key words commonly used in the classroom (e.g., labels, number names, days of the week, and months). Write phrases and simple sentences that follow English symmetrical order.</td>
<td>Independent writing Interactive writing centers</td>
</tr>
<tr>
<td>Writing</td>
<td>Standard – Intermediate ELD Level</td>
<td>Strategies</td>
</tr>
<tr>
<td>Organization and Focus</td>
<td>Follow a model given by the teacher to independently write a short paragraph of at least four sentences.</td>
<td>Spelling paragraphs Mini-lessons Independent writing Mini-lesson</td>
</tr>
<tr>
<td>Organization, Focus and Penmanship</td>
<td>Write legible, simple sentences that respond to topics in language arts and other content areas (e.g., math, science, history-social science).</td>
<td>Spelling paragraphs Independent writing Interactive writing</td>
</tr>
<tr>
<td>Organization and Focus</td>
<td>Create cohesive paragraphs that develop a central idea and consistently use standard English grammatical forms even though some rules may not be followed. Write simple sentences about an event or a character from a written text. Produce independent writing that is understood when read but may include inconsistent use of standard grammatical forms.</td>
<td>Spelling paragraphs D.O.L. Independent writing Mini-lesson</td>
</tr>
<tr>
<td>Writing</td>
<td>Standard – Advanced ELD Level</td>
<td>Strategies</td>
</tr>
<tr>
<td>Organization and</td>
<td>Develop a clear thesis and support it by using analogies, quotations,</td>
<td>Spelling paragraph</td>
</tr>
<tr>
<td>Focus</td>
<td>and facts appropriately. Write a multiparagraph essay with consistent use of standard grammatical forms.</td>
<td>Independent writing Mini-lessons</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Capitalization</td>
<td>Use capitalization when writing one's own name. Use capitalization at the beginning of a sentence and for proper nouns.</td>
<td>DOL Spelling paragraph Independent writing</td>
</tr>
<tr>
<td>Punctuation</td>
<td>Use period at the end of a sentence and a question mark at the end of a question.</td>
<td>DOL Spelling paragraph Independent writing</td>
</tr>
<tr>
<td>Capitalization, Punctuation and Spelling</td>
<td>Produce independent writing that includes partial consistency in the use of capitalization and periods and correct spelling. Produce independent writing with consistent use of capitalization, punctuation, and correct spelling.</td>
<td>Word work DOL Spelling paragraph Independent writing</td>
</tr>
</tbody>
</table>
APPENDIX D

Aspire Public Schools 504 Procedures
Part I: Quick and Basic 504 Process Procedures

Pre-Meeting Process Steps (Before any meeting takes place)
1. Referral comes in from SST/RtI/Parent OR annual 504 is due
2. Parent Information and Permission forms sent home and returned (within 10 school days of receiving referral)
3. Data gathered on disability and impact on educational access
4. Meeting Scheduled (within 30 days of permission received back from parents)
5. Parent Invite Sent and Returned (Invite sent at least 14 days prior to meeting)

504 Eligibility Determination Meeting Process Steps (done at least each 3yr)
1. Necessary identifying information filled out on student and team
2. Purpose of the meeting discussed: initial, review (at least every 3 years) or dismissal
3. Due Process rights given, discussed if necessary and signed for by parent
4. Review of data/evidence of disability
5. Review of data/evidence of impact of disability on a major life function
6. Eligibility decision: do they qualify for a 504? Yes or no.
7. Parent agreement or disagreement (refer to Director of Student Services)
8. Signatures and documentation, next 504 scheduled
9. Accommodation plan created (checklist for this in next section)
10. Record student’s 504 status in PowerSchool (see “Logging 504s in PowerSchool OM Guide”)

504 Accommodation Plan Process Steps (done at least annually)
1. Necessary identifying information filled out on student and team
2. Purpose of plan checked (initial or review)
3. Due Process rights given, discussed if necessary and signed for by parent
4. Data/Information Reviewed
5. Write the plan
6. Parent agreement or disagreement (refer to Director of Student Services)
7. Signatures and documentation
8. Plan implementation, progress monitoring and review scheduled

Discipline Steps for Students with 504s
1. Student with 504 referred for discipline
2. Determine if Manifestation Determination documentation necessary
3. Determine if behavior part of/because of the student’s qualifying disability
4. Review 504 Plan for student
5. Gather data on repeat behaviors
6. Determine if behavior is result of 504 not being correctly implemented
7. If discipline is related to disability/poor 504 implementation, address concerns with 504 meeting/plan
   If discipline not related to disability, document steps and continue with normal school procedures

Need more information on any of these steps? Check out the other process and procedure guides!
Section 504 Process and Procedure Guide: Introduction

Let's be honest, 504s can be complicated, confusing and often anxiety producing. The goal of this guide is to give step by step directions for the 504 process to alleviate these things on a basic level. The 504 decision process will still be a difficult one as each student's needs will be different, but 504 compliance is directly related to how well a school follows proper procedures during the 504 process.

What this guide will not do, what no guide can do, is tell you exactly when a child will qualify for a 504 or what accommodations to give to a child based on their particular disability. Each child is different and his or her disability may affect them differently. For example, two girls with ADHD in second grade may have drastically different needs. One may be able to access her education with basic classroom accommodations, the other may require more significant accommodations and a 504 plan.

The final decision around what 504 protections may be required rests on your 504 team and their experience as educators, which is one of the strengths you bring to this process.

Please see the next page for the sections of this guide, but as always, if you have a particular concern, complicated 504s, questions about your SST process or anything else, please contact the Aspire Director of Student Services and we will be happy to help!

Part I: Basic 504 Process Procedures

The basic steps in the 504 process for those of you who feel confident in your ability to administer 504s

Part II: Detailed 504 Process Procedures

504 process steps broken down into their detailed components for new 504 administrators or those who are in need of a 504 refresher.

The process is color-coded according to the following scheme.

<table>
<thead>
<tr>
<th>Pages 1-3, 7</th>
<th>Pre - 504 Meeting Process Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pages 4-6</td>
<td>504 Eligibility Determination Meeting Process Steps</td>
</tr>
<tr>
<td>Pages 8-10</td>
<td>504 Accommodation Plan Process Steps</td>
</tr>
</tbody>
</table>
Part I: Quick and Basic 504 Process Procedures

Pre-Meeting Process Steps (Before any meeting takes place)

1) Referral comes in from SST/RtI/Parent OR annual 504 is due
2) Parent Information and Permission forms sent home and returned (within 10 school days of receiving referral)
3) Data gathered on disability and impact on educational access
4) Meeting Scheduled (within 30 days of permission received back from parents)
5) Parent Invite Sent and Returned (Invite sent at least 14 days prior to meeting)

504 Eligibility Determination Meeting Process Steps (done at least each 3yr)

1) Necessary identifying information filled out on student and team
2) Purpose of the meeting discussed: initial, review (at least every 3 years) or dismissal
3) Due Process rights given, discussed if necessary and signed for by parent
4) Review of data/evidence of disability
5) Review of data/evidence of impact of disability on a major life function
6) Eligibility decision: do they qualify for a 504? Yes or no.
7) Parent agreement or disagreement (refer to Director of Student Services)
8) Signatures and documentation, next 504 scheduled
9) Accommodation plan created (checklist for this in next section)
10) Record student’s 504 status in PowerSchool (see “Logging 504s in PowerSchool OM Guide”)

504 Accommodation Plan Process Steps (done at least annually)

1) Necessary identifying information filled out on student and team
2) Purpose of plan checked (initial or review)
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4) Data/Information Reviewed
5) Write the plan
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7) Signatures and documentation
8) Plan implementation, progress monitoring and review scheduled

Discipline Steps for Students with 504s

1) Student with 504 referred for discipline
2) Determine if Manifestation Determination documentation necessary
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4) Review 504 Plan for student
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6) Determine if behavior is result of 504 not being correctly implemented
7) If discipline is related to disability/poor 504 implementation, address concerns with 504 meeting/plan
8) If discipline not related to disability, document steps and continue with normal school procedures

Need more information on any of these steps? Check out the other process and procedure guides!
There are actually steps before you jump into a 504 meeting for a student. The Pre-Meeting Process steps are typically related to referrals and permissions and are vital to the 504 documentation process.

**Step 1: 504 Referral**

**Why is the 504 process being started for this student?**

- The school’s SST/RtI process has identified this student as having a disability that may require 504 accommodations.
- The student’s parent or guardian has requested a 504 evaluation for their child to determine eligibility for 504 protections.
- The student has a 504 plan from a previous school.
- The student has a 504 plan from our school that needs review/updating.

The team making the referral must fill out the following form and give it to the Principal or 504 Designee for their site:

- Form_1b_504_Referral
- Form_2c_504_General_Information

The parent/guardian making the referral must fill out the following form and give it to the Principal or 504 Designee for their child’s site:

Based on their current 504 documentation, should the student’s next meeting be a full 504 evaluation or a simple review/update?

- Full 504 Evaluation (typically every 3 yrs)
- Simple 504 review

Please go to page 7 of this guide for more information on next steps.
Part II: Detailed 504 Process Procedures

Step 2: Determine Evaluation Evidence Needed

Once the 504 designee receives the referral for new 504s/notice of an existing 504 evaluation, he/she must determine what types of evaluative materials are needed for the 504 team to effectively determine eligibility.

- Transcripts/Grades/Test Scores
- Attendance
- Classroom observations
- Teacher Reports
- Educational reports

- Non-classroom observations (cafeteria, playground, etc.)
- Discipline data

- Observations or other data on disability specific issues (ex: needs of blind student accessing for written text)

- Information from outside professionals familiar with student (must have signed Authorization from parent)

Step 3: Parent Permission for Evaluation

The 504 designee has 10 school days from time of referral/notice to send the following to the parents to get permission for specific evaluation evidence and speak to outside professionals. Documents should be in parents’ primary language:

- Form_2a_504_Parent_Permission
- Form_2c_504_General_Information
- Form_2d_504_Release_of_Information

Parent/Guardian returns forms with permission to evaluate

Parent/Guardian returns forms, but does not give permission to evaluate

Parent/Guardian does not return forms

Step 4: Meeting Scheduling and Parent Invitation

Once the parent returns the form to the school, schedule the 504 Team to meet for a 504 Eligibility Determination.

Meeting should be scheduled for within 30 school days of receiving permission to evaluate.

Send an invite to the parent/guardian using the following form:

- Form_4_504_Parent_Invite

Evaluation for a 504 Plan and protections cannot occur without parental consent.

Send the following form to the parents:

- Form_2e_504_Parent_Permission _Refusal

Continue to support the child using regular school-based accommodations.

Place copies of all documents in 504 evaluation folder for the student.

Evaluation for a 504 Plan and protections cannot occur without parental consent.

Document attempts to contact parents.

At 30 days, send the following to the parents:

- Form_2e_504_Parent_Permission _Refusal

Continue to support the child using regular school-based accommodations.

Place copies of all documents in 504 evaluation folder for the student.

Continue to page 3 for next steps.
Part II: Detailed 504 Process Procedures

Step 5: Gather Data on Disability and Impact on Educational Access

Between time permission to evaluate is given by parent and before the 504 meeting, members of the 504 teams should gather pertinent data about the child's educational access. Examples of data include, but are not limited to:

- Transcripts/Grades/Test Scores
- Attendance
- Classroom observations
- Teacher Reports
- Non-classroom observations (cafeteria, play-yard, etc.)
- Discipline data
- Educational reports
- Observations or other data on disability specific issues (ex: needs of blind student accessing for written text)
- Information from outside professionals familiar with student (must have signed Authorization from parent)

Step 6: Final Scheduling the Meeting

Parent/Guardian returns the invitation and can attend the meeting

The 504 Eligibility Meeting is held as scheduled.

Parent/Guardian returns the invitation and cannot attend the meeting

Parent/Guardian attendance is not required to continue the 504 process. If feasible, schools can and should reschedule to include parents.

The 504 Eligibility Meeting is held as scheduled.

Parent/Guardian does not return invitation

Parent/Guardian attendance is not required to continue the 504 process.

Contact parents and document communication.

The 504 Eligibility Meeting is held as scheduled.

Go to Page 4 for 504 Eligibility Determination Meeting Process
Part II: Detailed 504 Process Procedures

504 Eligibility Determination Meeting Process Steps

The Basics of 504 Eligibility Determinations:

The 504 Team meets and uses Form _5a_504_Eligibility_Determination to determine whether or not there is documented evidence of the following:

1) The student has a diagnosed disability

   AND

2) This disability directly and substantially affects the student's ability to access school activities or curriculum

If you have questions about the basics of 504 eligibility, please contact the Director of Student Services! You are not alone 😊

For all 504 Eligibility Determinations, the following form should be used:

Form _5a_504_Eligibility_Determination_form

Step 1: Fill Out Necessary Identifying Information

Fill out student information, 504 Team members in attendance (including parents, students, non-Aspire staff)

Step 2: Check correct box for the purpose of the meeting

- Initial Evaluation
  The student has never had a 504 or was exited from a previous 504.

- Review Evaluation
  The student has a 504, but is being evaluated to see if they still qualify. This should be done at least every 3 years.

- Removal/Dismissal Evaluation
  It is believed the student may no longer qualify for a 504.

Step 3: Due Process Rights

Give Parents a Copy of their Due Process Rights

This form prints out at the end of Form _5a_504_Eligibility document, but you may also print it out separately as Form _2b_504_Due_Process_Rights

Have parents sign on the appropriate line of Form _5a_504_Eligibility_Determination that they have received their Due Process Rights

Continue to page 5
Part II: Detailed 504 Process Procedures

Step 4: Review the Evidence of Disability

- Evidence does not support presence of disability
  - Student is not eligible for a current 504
    - Fill out "Part I: Determination of Impairment" on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation
    - Skip to Eligibility Step 6

- Evidence supports presence of disability in the past, but not currently
  - Note: Does not include disabilities that are current, but episodic, such as epilepsy
  - Student may be eligible for a 504
    - Fill out "Part I: Determination of Impairment" on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation

Step 5: Review Evidence of Impact of Disability on a Major Life Function

In reviewing the evidence, the 504 team must determine whether or not the evidence shows that the disability substantially affects a major life function compared to that of the average student in the general population.

- Evidence shows disability does not substantially affect a major life function
  - Student is not eligible for a current 504
    - Fill out "Part II: Determination of Impact to Major Life Function" on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation

- Evidence shows disability substantially affects a major life function
  - Student may be eligible for a 504
    - Fill out "Part II: Determination of Impact to Major Life Function" on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation

Continue to Page 6
**Step 6: 504 Eligibility Decision**

The 504 Team determines that the student **meets both** eligibility criteria and therefore is eligible for 504 protections and a 504 plan. **Check the appropriate box.**

- Parents agree with the 504 Team's decision
- Parents disagree with the 504 Team's decision

Continue to accommodate for student utilizing normal school-based accommodations

**Refer the parent to the Director of Student Services immediately**

**Contact the Director of Student Services after the meeting to discuss and pass on copies of documentation**

---

**Step 7: Signatures and Documentation**

- Dates for future review are determined
- All parties sign the 504 document.
- Copies of all 504 documentation is kept on file for the student in both the student's cumulative file and a separate 504 file.

Parents refuse to sign 504 Evaluation document. State this in the comments section of the Evaluation document. Place copies of all 504 documentation in student's cum file and separate 504 file. Refer parents to the Direct of Student Services

Continue to page 8 for 504 Accommodation Plan if student qualifies for a 504
504 Accommodation Plan Review Process Steps

For students who need their 504 plan reviewed, but do not require a full 504 evaluation update, the following steps should be taken to review the 504 plan and determine changes.

### Pre-504 Meeting Step 2: Meeting Scheduling and Parent Invitation

1. The 504 team schedules a 504 Plan Review.
2. Send an invite to the parent/guardian using the following form:
   
   **Form_4_504_Parent_Invite**

### Pre-504 Meeting Step 3: Gather Data on Accommodation Implementation and Successes/Concerns

Members of the 504 teams should gather pertinent data about the current 504 accommodations written into the student’s plan and the success of those accommodations. Examples of data include, but are not limited to:

- Transcripts/Grades/Test Scores
- Attendance
- Classroom observations
- Teacher Reports
- Non-classroom observations (cafeteria, play-yard, etc.)
- Discipline data
- Educational reports
- Observations or other data on disability specific issues (ex: needs of blind student accessing for written text)

### Pre-504 Meeting Step 6: Final Scheduling the Meeting

- **Parent/Guardian returns the invitation and can attend the meeting**
  - The 504 Plan Review Meeting is held as scheduled.

- **Parent/Guardian returns the invitation and cannot attend the meeting**
  - Parent/Guardian attendance is not required to continue the 504 process. If feasible, schools can and should reschedule to include parents.
  - The 504 Plan Review Meeting is held as scheduled.

- **Parent/Guardian does not return invitation**
  - Parent/Guardian attendance is not required to continue the 504 process.
  - Contact parents and document communication.
  - The 504 Plan Review Meeting is held as scheduled.

**Go to Page 8 for 504 Accommodation Plan Process Steps**
504 Accommodation Plan Process Steps

The Basics of 504 Accommodation Plans:

1) Accommodations should be specific to the identified student and his/her disability(ies)
2) Accommodation plans should be written for each separate disability (for students with multiple disabilities)
3) Accommodations must alleviate barriers to student access of education
4) Accommodations are not required to address specific academic achievement

If you have questions about the basics of 504 accommodations, please contact the Director of Student Services! You are not alone 😊

For all 504 Accommodation Plans, the following form should be used:

Form_5b_504_Plan

Step 1: Fill Out Necessary Identifying Information

Fill out student information, 504 Team members in attendance (including parents, students, non-Aspire staff)

Step 2: Check correct box for the purpose of the meeting

Initial Plan
The student was just found eligible for a 504 and needs an accommodation plan created

Review Plan
The student has a plan, but the plan needs to be reviewed (Should occur at least 1x per year)

Step 3: Due Process Rights

Give Parents a Copy of their Due Process Rights
This form prints out at the end of Form_5b_504_Plan document, but you may also print it out separately as Form_2b_504_Due_Process_Rights

Have parents sign on the appropriate line of Form_5b_504_Plan that they have received their Due Process Rights

Continue to page 9
Step 4: Data/Information Reviewed

The 504 team reviews data/evidence for each proposed/current accommodation and determines what accommodations are necessary to help ameliorate the student’s disability’s affect on his/her access to education. Accommodations must be grounded in data in order to ensure proper progress monitoring.

Step 5: Writing the Plan

The Basics of 504 Accommodation Plans:

1) Accommodations should be specific to the identified student and his/her disability(ies) and based on data

2) Accommodation plans should be written for each separate disability (for students with multiple disabilities)

3) Accommodations must alleviate barriers to student access of education

4) Accommodations are not required to address specific academic achievement

The 504 team writes an accommodation plan based on recommendations from the team and available and pertinent evidence from other sources.

Parents agree with the 504 accommodation plan as written

Parents disagree with the 504 accommodation plan as written

Continue to accommodate for student utilizing normal school-based accommodations

Refer the parent to the Director of Student Services immediately

Contact the Director of Student Services after the meeting to discuss and pass on copies of documentation

Step 5: Signatures

All parties sign the 504 document. Copies of all 504 documentation is kept on file for the student in both the student's cumulative file and a separate 504 file.

Parents refuse to sign 504 accommodation plan. State this in the comments section of the Evaluation document. Place copies of all 504 documentation in student’s cum file and separate 504 file. Refer parents to the Direct of Student Services.

Continue to page 10
Step 6: Plan Implementation

Once the plan has been written and signed by the team, it needs to be implemented as written. The steps for implementation include:

1) Holding a team meeting to inform all necessary staff of their role in implementation and giving them a copy of the 504 accommodation plan only

2) Training staff on necessary accommodations that require it (ex: how to use an epi-pen or necessary procedures if a student has a seizure)

3) Provide teachers and staff with necessary resources to create/maintain accommodations (ex: if teacher needs to wear an FM transmitter for a student with limited hearing, providing the equipment to the teacher).

Step 7: Progress Monitoring/Review

Part of the accommodation plan is also the progress monitoring/review of the plan AND its implementation. Scheduled reviews should be written into the 504 plan.

When the deadline for progress monitoring/review is coming up, go to page 1 of this guide:

Pre-504 Meeting Step 1: 504 Referral

Pick the following choice

The student has a 504 plan from our school that needs review/updating
APPENDIX E

SELPA Letter
June 4, 2010

ASPIRE Public Schools
James Wilcox, CEO
1001 22nd Avenue, Suite 100
Oakland, CA 94606

Dear Mr. Wilcox:

It is my pleasure to inform you that the ASPIRE Centennial College Preparatory Academy has been officially admitted as a member of the El Dorado County Charter SELPA, effective July 1, 2010.

The California Department of Education, Special Education Division has approved the ASPIRE Centennial College Preparatory Academy to participate as an LEA member in the El Dorado County Charter SELPA. I have enclosed a copy of the May 27th, 2010 letter from Mary Hudler, Director of the Special Education Division, for your records.

We look forward to working with you and your school next year.

Sincerely,

[Signature]
Emi Johnson
SELPA Director

EJ/dr

cc: Vicki L. Barber, Ed.D., County Superintendent, EDCOE
    Terena Mendonca, Deputy Superintendent, Administrative Services, EDCOE
    Francie Heim, Liaison Consultant, EDCOE
    Lisa Donaldson, Accountant, EDCOE
APPENDIX F

Proof of Tax-exempt Status
Dear Sir:

This is in response to your request of January 24, 2006, regarding your organization's tax-exempt status.

In December 1999 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a school under sections 509(a)(1) and 170(b)(1)(A)(ii) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,

Janna K. Skufca, Director, TE/GE
Customer Account Services
APPENDIX G

Aspire Public Schools Org Chart
APPENDIX H

Discrimination and Harassment Policy
Discrimination/Harassment Policy

Aspire Public Schools ("Aspire") shall not discriminate on the basis of the characteristics listed in Education Code 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). Aspire's programs and activities shall be free from discrimination including harassment with respect to ethnic group, religion, gender, sexual orientation, color, race, national origin and physical or mental disability.

The Board of Directors (the "Board") shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral and cheerleading groups shall be determined solely on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Aspire schools may provide girls and boys with separate shower rooms and sex education classes in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in Aspire. Staff shall be alert and immediately responsive to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed or discriminated against should immediately contact the principal or designee. The student and/or parent may file a complaint verbally or in writing under Aspire's "Discrimination/Harassment Complaint Procedure." Upon receipt of a harassment complaint the Chief Executive Officer or designee will be notified. Complaints of harassment will be investigated immediately according to the procedures set forth in Aspire's "Discrimination/Harassment Complaint Procedure."

Aspire's "Discrimination/Harassment Policy" and the "Discrimination/Harassment Complaint Procedure" will be reviewed with students at the beginning of each school year, either in the classroom or in student assemblies.

At the start of each school year, this policy will be included in each Annual Notification and will be made available at each school site.
Discrimination/Harassment Complaint Procedure

Any parent or student who believes that the student has been subjected to discrimination (including harassment) based on race, color, national origin, religion, gender, sexual orientation, or physical or mental disability, in any Aspire Public Schools' ("Aspire") program or activity may file a complaint under this procedure.

Aspire prohibits retaliation in any form for the filing of a complaint, the reporting or instances of discrimination, or for participation in complaint procedures.

Aspire acknowledges and respects students' and employees' rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant shall be kept confidential as appropriate.

The Chief Executive Officer shall ensure that employees designated to receive and investigate complaints are knowledgeable about applicable laws and regulations. Such employee may have access to legal counsel as determined by the Chief Executive Officer or designee.

How to File a Complaint
Aspire schools are committed to providing a safe learning environment for all students. Any student who believes that he/she has been subjected to discrimination, or harassment (including bullying, intimidation, or retaliation) based on race, color, national origin, religion, gender, sexual orientation, or physical or mental disability in any Aspire program or activity should immediately contact the school principal to file a complaint. Any parent can contact the school principal to file a discrimination/harassment complaint on behalf of their child. The following steps will be taken when a complaint is filed:

Procedures
1. The principal or designee shall promptly investigate all complaints of discrimination or harassment in a confidential, and respectful manner. In doing so, he/she shall talk individually with:
   • The student who is complaining
   • The person accused
   • Anyone who saw the incident or conduct take place
   • Anyone mentioned as having related information

2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence, and put his/her complaint in writing.

3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:
   • The Chief Executive Officer or designee
   • The parent/guardian of the student who complained
   • The parent/guardian of the person accused of the discrimination or harassing conduct
   • The school resource officer(s)
4. When the parent or student who complained and the person accused so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.

5. In reaching a decision about the complaint, the principal or designee may take into account:
   - Statements made by the persons identified above
   - The details and consistency of each person's account
   - Evidence of how the complaining student reacted to the incident
   - Evidence of past instances of discrimination or harassment by the accused person
   - Evidence of past complaints

6. If the principal or designee determines that discrimination/harassment has taken place, he/she will take immediate action to protect the safety of the student who has been discriminated against or harassed. To judge the severity of harassment, the principal may take into consideration:
   - How the misconduct affected one or more students' education
   - The type, frequency, and duration of the misconduct
   - The number of persons involved
   - The age and sex of the person accused of harassment
   - The subject(s) of harassment
   - The place and situation where the incident occurred
   - Other incidents at the school, including incidents of discrimination/harassment

7. If the principal or designee determines that discrimination/harassment has taken place, he/she will take every step necessary (during and/or following the investigation, as appropriate) to prevent further discrimination/harassment. For example, a review of policy with students and staff and/or letter(s) to parents may be among the steps taken.

8. Within 10 days of receiving the complaint, the principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused. If he/she verifies that discrimination/harassment occurred, this report shall describe the actions he/she took to end the harassment, address the effects of the discrimination or harassment on the person who was subject to it, and prevent retaliation or further discrimination or harassment.

9. The principal or designee shall give the Chief Executive Officer or designee a written report of the complaint and investigation. Within two weeks after issuing his/her findings, the principal or designee shall determine whether or not the student who complained has been further harassed or discriminated against. The principal or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.

Page 2 of 2
APPENDIX I

Educator Evaluation Tools
### Domain 1: Data-Driven Planning and Assessment

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<thead>
<tr>
<th>Standards</th>
<th>Indicators</th>
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</thead>
<tbody>
<tr>
<td>1.1 Establish standards-based learning objectives for instructional plans</td>
<td>A) Selection of learning objectives</td>
</tr>
<tr>
<td></td>
<td>B) Measurability of learning objectives through summative assessments</td>
</tr>
<tr>
<td>1.2 Organize instructional plans to promote standards-based, cognitively</td>
<td>A) Designing and sequencing of learning experiences</td>
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<tr>
<td>engaging learning for students</td>
<td>B) Creating cognitively engaging learning experiences for students</td>
</tr>
<tr>
<td>1.3 Use student data to guide planning</td>
<td>A) Lesson design guided by data</td>
</tr>
<tr>
<td>1.4 Use knowledge of subject matter content/skills and learning processes</td>
<td>A) Knowledge of subject matter to identify pre-requisite knowledge &amp; skills</td>
</tr>
<tr>
<td>to plan for student learning</td>
<td>B) Addresses common content misconceptions</td>
</tr>
<tr>
<td>1.5 Design assessments to ensure student mastery.</td>
<td>A) Selection and progression of formative assessments</td>
</tr>
<tr>
<td></td>
<td>B) Planned response to formative assessment data</td>
</tr>
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</table>

### Domain 2: Classroom Learning Environment

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<th>Standards</th>
<th>Indicators</th>
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<tbody>
<tr>
<td>2.1 Create a classroom/community culture of learning</td>
<td>A) Value of effort and challenge</td>
</tr>
<tr>
<td>2.2 Manage student behavior through clear expectations and a balance of</td>
<td>A) Behavioral expectations</td>
</tr>
<tr>
<td>positive reinforcement, feedback, and redirection</td>
<td>B) Response to behavior</td>
</tr>
<tr>
<td>2.3 Establish a culture of respect and rapport which supports students’</td>
<td>A) Interactions between teacher and students</td>
</tr>
<tr>
<td>emotional safety</td>
<td>B) Student interactions with each other</td>
</tr>
<tr>
<td>2.4 Use smooth and efficient transitions, routines, and procedures to</td>
<td>A) Routines, procedures, and transitions</td>
</tr>
<tr>
<td>maintain instructional momentum</td>
<td></td>
</tr>
</tbody>
</table>

### Domain 3: Instruction

<table>
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<tr>
<th>Standards</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1 Communicate learning objectives to students</td>
<td>A) Communication of the learning objectives of the lesson</td>
</tr>
<tr>
<td></td>
<td>B) Connections to prior and future learning experiences</td>
</tr>
<tr>
<td></td>
<td>C) Criteria for success</td>
</tr>
<tr>
<td>3.2 Facilitates Instructional Cycle</td>
<td>A) Executes lesson cycle</td>
</tr>
<tr>
<td></td>
<td>B) Cognitive level of student learning experience</td>
</tr>
<tr>
<td>3.3 Implementation of instructional strategies</td>
<td>A) Questioning</td>
</tr>
<tr>
<td></td>
<td>B) Academic discourse</td>
</tr>
<tr>
<td></td>
<td>C) Group structures</td>
</tr>
<tr>
<td></td>
<td>D) Resources and instructional materials</td>
</tr>
<tr>
<td>3.4 During lesson, teacher makes effective instructional decisions based</td>
<td>A) Checking for students’ understanding and adjusting instruction</td>
</tr>
<tr>
<td>on formative assessments</td>
<td>B) Feedback to students</td>
</tr>
<tr>
<td></td>
<td>C) Self-monitoring</td>
</tr>
</tbody>
</table>
**APPENDIX I**

**Aspire Instructional Rubric (AIR)**

**2013-2014**

<table>
<thead>
<tr>
<th>Domain 4: Professional Responsibilities</th>
<th></th>
</tr>
</thead>
</table>
| 4.1 Engage in critical reflection, constantly revising practice to increase effectiveness | A) Accuracy  
B) Use in future planning  
C) Acceptance of feedback |
| 4.2 Engage in collaborative relationships with peers to learn and share best practices and ensure continuity in student learning | A) Participation in a professional community  
B) Professional development  
C) Shared commitment |
| 4.3 Uphold and exhibit the CMO norms and expectations | A) Ethics and professionalism  
B) Norms described by school/CMO handbooks |

<table>
<thead>
<tr>
<th>Domain 5: Partnerships, Family and Community</th>
<th></th>
</tr>
</thead>
</table>
| 5.1 Develop two-way communication with families about student learning and achievement | A) Initiation of meaningful communication  
B) Responsiveness to parent inquiries and communication  
C) Inclusion of the family as a partner in learning decisions |
| 5.2 Equip families with a variety of strategies to support their child’s success and college readiness | A) Provision of parent education efforts to support students |
| 5.3 Help students leverage resources in their community that support their success in college and beyond | A) Goal setting and advocacy  
B) Knowledge of community resources  
C) Support for students in accessing these resources |
## Aspire Instructional Rubric (AIR)
### 2013-2014

<table>
<thead>
<tr>
<th>Standard</th>
<th>Indicators</th>
<th>Level I</th>
<th>Level II</th>
<th>Level III</th>
<th>Level IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Establish standards-based learning objectives and assessments</td>
<td>A) Selection of learning objectives</td>
<td>Learning objective(s) are missing a specific level of cognition (Bloom's Level) or content. AND Learning objective(s) are misaligned with progress toward mastery of content standards.</td>
<td>Learning objective(s) are missing either a specific level of cognition (Bloom's Level) or content. OR Learning objective(s) are misaligned with progress toward mastery of content standards.</td>
<td>Learning objective(s) include both a specific level of cognition (Bloom's Level) and content. AND Learning objective(s) are aligned to and progress toward mastery of content standards.</td>
<td>All of level 3 and... Learning objective(s) exceed level of cognitive demand (Bloom's Level) required by content standards.</td>
</tr>
<tr>
<td></td>
<td>B) Measurability of learning objectives through summative assessments</td>
<td>Culminating lesson assessment does not measure the independent mastery of the learning objective(s).</td>
<td>Culminating lesson assessment measures the independent mastery of the learning objective(s) but only uses general criteria for measuring success.</td>
<td>Culminating lesson assessment measures the independent mastery of the learning objective(s) and uses specific criteria for measuring success.</td>
<td>All of level 3 and... AND is measured by multiple methods.</td>
</tr>
<tr>
<td>1.2 Organize instructional plans to promote standards-based, cognitively engaging learning for students</td>
<td>A) Designing and sequencing of learning experiences</td>
<td>The design of the learning experiences is not aligned to the learning objective(s). AND Learning experiences are not sequenced to enable students to demonstrate independent mastery of the learning objective(s) through the gradual release of responsibility.</td>
<td>The design of the learning experiences is not aligned to the learning objective(s). OR Learning experiences are not sequenced to enable students to demonstrate independent mastery of the learning objective(s) through the gradual release of responsibility.</td>
<td>The design of the learning experiences is aligned to the learning objective(s). AND The design of the learning experiences is sequenced to enable students to demonstrate independent mastery of the learning objective(s) through the gradual release of responsibility. AND The design of the learning experiences is differentiated to meet the needs of subgroups of students.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B) Creating cognitively engaging learning experiences for students</td>
<td>Instructional plans do not provide opportunity for cognitively engaging learning experiences at students' various ZPD levels throughout the lesson cycle.</td>
<td>Instructional plans inconsistently plans cognitively engaging learning experiences at students' various ZPD levels throughout the lesson cycle. OR Instructional plans include cognitively engaging learning experiences at students' various ZPD levels but without appropriate time and support throughout the lesson cycle.</td>
<td>Instructional plans include cognitively engaging learning experiences at students' various ZPD levels throughout the lesson cycle and each learning experience provides appropriate time and support.</td>
<td>All of level 3 and... Instructional plans provide differentiated cognitively engaging learning experiences at students' various ZPD levels for subgroups of students.</td>
</tr>
</tbody>
</table>
### Aspire Instructional Rubric (AIR) 2013-2014

<table>
<thead>
<tr>
<th>Standard</th>
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<th>Level III</th>
<th>Level IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3 Use student data to guide planning</td>
<td>A) Lesson design guided by data</td>
<td>The teacher does not use student data to guide or inform planning.</td>
<td>The teacher uses student data to inform planning of content organization or instructional strategies. OR The teacher uses student data to inform planning that meets the needs of the whole class.</td>
<td>The teacher uses student data to inform planning of content organization and instructional strategies. AND The teacher uses student data to inform planning that meets the needs of subgroups of students.</td>
<td>The teacher uses student data to inform planning of content organization and instructional strategies. AND The teacher uses student data to inform planning that meets the needs of subgroups of students. AND The teacher cites instructional strategies to meet the needs of individual students.</td>
</tr>
<tr>
<td>1.4 Use knowledge of subject matter content/skills and learning processes to plan for student learning</td>
<td>A) Knowledge of subject matter to identify prerequisite knowledge &amp; skills</td>
<td>The teacher does not accurately identify or address the prerequisite knowledge and skills to achieve the standard/learning objective(s). OR The teacher does not include opportunities to activate prerequisite knowledge. OR The teacher does not include strategies to address potential gaps for the whole class of students.</td>
<td>The teacher identifies some prerequisite knowledge and skills to achieve the standard/learning objective(s), but key prerequisite knowledge may not be identified. OR The teacher includes opportunities to activate prerequisite knowledge. AND The teacher includes strategies to address potential gaps for the whole class of students.</td>
<td>The teacher accurately identifies the prerequisite knowledge and skills to achieve the standard/learning objective(s). AND The teacher includes opportunities to activate prerequisite knowledge. AND The teacher includes strategies to address potential gaps for subgroups of students.</td>
<td>All of level 3 and... The teacher includes strategies to address potential gaps for individual students.</td>
</tr>
<tr>
<td></td>
<td>B) Addresses common content misconceptions</td>
<td>The teacher does not anticipate common student content misconceptions and does not include strategies to ensure students recognize and address these misconceptions to master the standard/learning objective(s).</td>
<td>The teacher anticipates common student content misconceptions but does not include strategies to ensure students recognize and address these misconceptions to master the standard/learning objective(s).</td>
<td>The teacher anticipates common student content misconceptions and includes strategies that ensure students recognize and address these misconceptions to master the standard/learning objective(s).</td>
<td>All of level 3 and... The teacher includes opportunities for students to uncover and correct their own content misconceptions.</td>
</tr>
<tr>
<td>Standard</td>
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<td>Level III</td>
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</tr>
<tr>
<td>1.5 Design assessments to ensure student mastery</td>
<td>A) Selection and progression of formative assessments</td>
<td>Formative assessments are not aligned to the learning objective(s). OR Formative assessments are not planned.</td>
<td>The formative assessments are inconsistently aligned to the learning objective(s). OR Formative assessments do not yield actionable data. OR Formative assessments are planned for a single component of the lesson cycle.</td>
<td>Different types of formative assessments are selected to yield actionable data about progress towards mastery of the learning objective(s). AND Formative assessments are planned for different components of the lesson cycle, progressing toward student mastery of the learning objective(s).</td>
<td>All of level 3 and... The formative assessments are differentiated to yield actionable data about subgroups of students.</td>
</tr>
<tr>
<td></td>
<td>B) Planned response to formative assessment data</td>
<td>The teacher has not planned to adjust instruction based on the data from formative assessments.</td>
<td>The teacher inconsistently plans to adjust instruction based on the data from formative assessments.</td>
<td>The teacher plans to adjust instruction based on the data from each formative assessment.</td>
<td>All of level 3 and... The teacher articulates how students will be involved in establishing next steps.</td>
</tr>
<tr>
<td>Standard</td>
<td>Indicators</td>
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<td>Level III</td>
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</tr>
<tr>
<td>2.1 Creates a classroom/community culture of learning</td>
<td>A. Value of effort and challenge</td>
<td>The teacher’s words and actions provide little or no encouragement for academic learning or convey low expectations for student effort. Students do not consistently persist in completing assigned work.</td>
<td>The teacher’s words and actions emphasize compliance and completion of work. Students seek to complete tasks without consistent focus on learning or persistence toward quality work.</td>
<td>The teacher’s words and actions promote belief in student ability and high expectations for student effort. Students consistently expand effort to learn and persist in producing high quality work.</td>
<td>All of level 3 and... Students assume responsibility or take initiative for producing high quality work, holding themselves, and each other, to high standards of performance.</td>
</tr>
<tr>
<td>2.2 Manage student behavior through clear expectations and a balance of positive reinforcement, feedback, and redirection</td>
<td>A. Behavioral expectations</td>
<td>It is evident that the teacher did not teach standards for student behavior. OR Student behavior does not contribute to an academic environment.</td>
<td>The teacher inconsistently communicates standards for student behavior. OR Student behavior inconsistently contributes to an academic environment.</td>
<td>The teacher consistently communicates clear, high standards for student behavior. AND Student behavior consistently contributes to an academic environment.</td>
<td>The teacher has established clear, high standards for student behavior. Without being prompted, students articulate or demonstrate high behavioral expectations that support the classroom’s academic environment.</td>
</tr>
<tr>
<td>B. Response to behavior</td>
<td>The teacher does not respond to misbehavior when necessary, or the response is repressive or disrespectful of student dignity.</td>
<td>The teacher’s verbal or non-verbal response to student behavior is inconsistent. OR Teacher’s verbal or non-verbal response is focused on the whole-class. OR Teacher emphasizes consequences over positive reinforcement.</td>
<td>The teacher’s verbal or non-verbal response to student behavior is consistent, respectful, proactive, and includes redirection, feedback or positive reinforcement to specific students.</td>
<td>Classroom exhibits no need for teachers or students to redirect negative behavior. OR Students appropriately respond to, redirect, provide feedback, or provide positive reinforcement to each other’s behavior.</td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>Indicators</td>
<td>Level I</td>
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<td>Level III</td>
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</tr>
<tr>
<td>2.3 Establish a culture of respect and rapport which supports students' emotional safety</td>
<td>A. Interactions between teacher and students</td>
<td>The teacher's interactions with some students are negative, demeaning, or inappropriate to the age and needs of the students in the class. OR Students exhibit disrespect for the teacher.</td>
<td>The teacher's interactions with students inconsistently demonstrate respect and positivity, are inconsistently appropriate for the age and needs of students, or inconsistently support student growth. OR Students inconsistently exhibit respect for the teacher.</td>
<td>The teacher's interactions with students are respectful, positive, and appropriate for the age and needs of the students and support student growth. AND Students exhibit respect for the teacher.</td>
<td>All of level 3 and... The teacher's interactions demonstrate a positive rapport with individual students.</td>
</tr>
<tr>
<td>B. Student interactions with each other</td>
<td>Student interactions are impolite and disrespectful, which interferes with learning for some students.</td>
<td>Student interactions are generally polite and respectful, but students do not support each other's learning.</td>
<td>Student interactions are polite and respectful, and students support each other's learning.</td>
<td>Student interactions are polite and respectful, and students support each other's learning. AND Students encourage each other individually.</td>
<td></td>
</tr>
<tr>
<td>2.4 Use smooth and efficient transitions, routines, and procedures</td>
<td>A. Routines, procedures, and transitions</td>
<td>The teacher has not established or does not implement routines, procedures, and transitions, resulting in a loss of instructional time.</td>
<td>The teacher has established some routines, procedures, and transitions; however, some may be missing or inconsistently implemented, resulting in the loss of instructional time.</td>
<td>The teacher has established and implements routines, procedures, and transitions that maximize instructional time.</td>
<td>All of level 3 and... With minimal prompting, students effectively facilitate some routines, procedures, and transitions.</td>
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<td>Standard</td>
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</tr>
<tr>
<td>A. Communication of the learning objectives of the lesson</td>
<td>The teacher does not explain the learning objective(s), OR Students cannot articulate what they are expected to learn.</td>
<td>The teacher explains the learning objective(s) but does not refer to the objective(s) throughout the lesson. OR Students cannot articulate what they are expected to learn.</td>
<td>The teacher explains the learning objective(s) and refers back to it throughout the lesson. AND Students are able to articulate what they are expected to learn.</td>
<td>All of level 3 and... Students are able to articulate the relevance of the learning objective(s) within or outside of the discipline.</td>
<td></td>
</tr>
<tr>
<td>3.1 Communicate learning objectives to students</td>
<td>The teacher does not make connections between current learning objective(s) and the students' prior or future learning. OR The teacher makes connections to prior learning but the connections are vague or based on connections to assessments and grades.</td>
<td>The teacher makes connections between the current learning objective(s) and the students' prior or future learning. OR The teacher makes connections to prior and future learning but the connections are vague or based on connections to assessments and grades.</td>
<td>The teacher makes connections between the current learning objective(s) and the students' prior and future learning to further student understanding of the content material.</td>
<td>The teacher facilitates as students build connections between the current learning objective(s) and their prior and future learning.</td>
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</tr>
<tr>
<td>B. Connections to prior and future learning experiences</td>
<td>The teacher does not mention criteria for successfully demonstrating attainment of the learning objective(s).</td>
<td>The teacher mentions but does not clearly explain the criteria for successfully demonstrating attainment of the learning objective(s). Exemplars and models are not provided.</td>
<td>The teacher clearly articulates the criteria for successfully demonstrating attainment of the lesson objective(s) and provides exemplars and models. AND Students are able to articulate the criteria for successfully demonstrating attainment of the learning objective(s).</td>
<td>All of level 3 and... The teacher solicits student discussion to define or affirm the criteria for successfully demonstrating attainment of the learning objective(s).</td>
<td></td>
</tr>
<tr>
<td>C. Criteria for success</td>
<td>The teacher executes a lesson cycle that is inappropriately paced. AND The teacher does not execute a lesson cycle that gradually releases responsibility.</td>
<td>The teacher executes a lesson cycle that is inappropriately paced.</td>
<td>The teacher executes an appropriately paced lesson cycle that gradually releases responsibility so that students can independently master the learning objective(s).</td>
<td>All of level 3 and... To address the needs of subgroups or an individual student, the teacher adapts pacing or the release of responsibility.</td>
<td></td>
</tr>
<tr>
<td>3.2 Facilitates Instructional Cycle</td>
<td>Learning experiences are not cognitively engaging (at students' various ZPD levels). OR Learning experiences do not match the level of rigor required to attain mastery of the standard/learning objective(s).</td>
<td>Some learning experiences are cognitively engaging (at students' various ZPD levels). OR Some learning experiences match the level of rigor required to attain mastery of the standard/learning objective(s).</td>
<td>Learning experiences throughout the lesson cycle are cognitively engaging (at students' various ZPD levels). AND Learning experiences consistently match the level of rigor required to attain mastery of the standard/learning objective(s).</td>
<td>All of level 3 and... Learning experiences require student thinking that exceeds the level of cognition or increases the level of challenge required by the standard/learning objective(s).</td>
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<tr>
<td>A. Questioning</td>
<td>The teacher poses few questions to students.  OR The teacher does not scaffold questions toward cognitive challenge and mastery of the learning objective(s). OR Wait time is not used.</td>
<td>The teacher poses questions to a small number of students. OR The teacher inconsistently scaffolds questions toward cognitive challenge and mastery of the learning objective(s). OR Wait time is used inconsistently.</td>
<td>The teacher poses questions to a wide range of students that are scaffolded toward cognitive challenge and mastery of the learning objective(s). AND The teacher uses strategies to enable students to correctly answer questions and extend or justify their thinking. AND Wait time is used consistently.</td>
<td>All of Level 3 and... Students pose questions that require cognitive challenge. OR Students initiate questions to further their own or other students' understanding of the content.</td>
<td></td>
</tr>
<tr>
<td>B. Academic Discourse</td>
<td>The teacher does not require students to use academic vocabulary, discuss academic ideas, or justify their reasoning. OR The teacher provides minimal opportunities for student discussion.</td>
<td>The teacher inconsistently requires students in whole class or small group conversations to use academic vocabulary, discuss academic ideas, or justify their reasoning. OR Academic discourse is limited to a small number of students.</td>
<td>The teacher facilitates conversations in whole class and small group settings that require all students to consistently use academic vocabulary, discuss academic ideas, and justify their reasoning.</td>
<td>Students facilitate whole class or small group discussions and consistently use academic vocabulary, discuss academic ideas, and justify their reasoning.</td>
<td></td>
</tr>
<tr>
<td>C. Group structures</td>
<td>The structure and size of grouping arrangements do not move students toward mastery of the learning objective(s).</td>
<td>The structure and size of grouping arrangements inconsistently move students toward mastery of the learning objective(s). OR Students inconsistently participate within all group structures.</td>
<td>The structure and size of grouping arrangements move students toward mastery of the learning objective(s). AND Students actively participate within all group structures.</td>
<td>All of level 3 and... Students support each other to work through challenging activities and hold themselves and each other accountable for individual or group work that leads to mastery of the learning objective.</td>
<td></td>
</tr>
<tr>
<td>D. Resources and instructional materials</td>
<td>Resources and instructional materials are unsuitable to the lesson objective(s), distract from or interfere with student learning, or do not promote cognitive engagement.</td>
<td>Resources and instructional materials are partially suitable to the lesson objective(s). Resources and materials only partially promote cognitive engagement.</td>
<td>Resources and instructional materials are suitable to the lesson objective(s), support attainment of the learning objective(s), and require cognitive engagement.</td>
<td>All of level 3 and... Students choose, adapt, or create materials to extend learning.</td>
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<tr>
<td>A. Checking for understanding and adjusting instruction</td>
<td>The teacher does not check for students' understanding of the learning objectives during the lesson. OR The teacher does not adjust instruction based on the data.</td>
<td>The teacher inconsistently checks for understanding throughout the lesson cycle. OR The checks do not yield actionable data on students' progress toward the learning objective(s). OR The teacher inconsistently or ineffectively adjusts instruction based on the data.</td>
<td>The teacher checks for understanding using different techniques throughout the lesson cycle to yield actionable data on students' progress toward mastery of the learning objective(s). AND The teacher adjusts whole-class instruction based on the data to meet students' learning needs as necessary.</td>
<td>All of level 3 and... The teacher implements differentiated instruction and continued checks for understanding based on the progress of individual students or subgroups toward mastery of the learning objective(s).</td>
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</tr>
<tr>
<td>B. Feedback to students</td>
<td>The teacher does not provide feedback to students. OR Feedback does not advance students toward mastery of the learning objective(s).</td>
<td>The teacher provides feedback but not throughout the lesson. OR Feedback inconsistently advances students toward attainment of the learning objective(s).</td>
<td>The teacher provides feedback throughout the lesson cycle that is specific and timely. AND Feedback consistently advances students toward attainment of the learning objective(s).</td>
<td>The teacher provides feedback throughout the lesson cycle that is specific and timely, AND Feedback consistently advances students toward attainment of the learning objective(s). AND Students provide specific feedback to one another.</td>
<td></td>
</tr>
<tr>
<td>C. Self-monitoring</td>
<td>The teacher does not provide students with opportunities to engage in self-monitoring of their own progress or thinking.</td>
<td>The teacher provides students with opportunities for self-monitoring exercises that do not move students towards mastery of the learning objective(s).</td>
<td>The teacher provides and students engage in self-monitoring exercises that move students towards mastery of the learning objective(s).</td>
<td>All of level 3 and... Students judge their own performance relative to success criteria and specifically identify further steps in learning.</td>
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</table>
## Aspire Instructional Rubric (AIR)

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<tbody>
<tr>
<td>4.1</td>
<td>A) Accuracy</td>
<td>The teacher does not know the degree to which a lesson was effective or achieved its instructional goals, or profoundly misjudges the success of a lesson.</td>
<td>The teacher has a somewhat accurate assessment of a lesson's effectiveness and success in meeting the instructional goals.</td>
<td>The teacher makes an accurate assessment of a lesson's effectiveness and success in meeting the instructional goals, citing data to support the judgment.</td>
<td>The teacher makes a detailed and accurate assessment of a lesson's effectiveness and success in achieving the instructional goals, citing specific data and weighing the relative strengths of each data source.</td>
</tr>
<tr>
<td></td>
<td>B) Use in future planning</td>
<td>The teacher does not make suggestions about how the lesson could be improved.</td>
<td>The teacher makes specific suggestions about how the lesson could be improved OR how the teacher's practice can be improved in future lessons.</td>
<td>The teacher makes specific suggestions about how the lesson could be improved AND how the teacher's practice can be improved in future lessons.</td>
<td>All of level 3 and... The teacher predicts how the improvements will advance student learning in future lessons.</td>
</tr>
<tr>
<td></td>
<td>C) Acceptance of feedback</td>
<td>The teacher is resistant to feedback from supervisors or colleagues and/or does not use the feedback to improve practice.</td>
<td>The teacher accepts feedback from supervisors and colleagues but may/may not use the feedback to improve practice.</td>
<td>The teacher welcomes feedback from supervisors and colleagues and uses the feedback to improve practice.</td>
<td>The teacher welcomes feedback from supervisors and colleagues, uses the feedback to improve practice, and seeks further feedback on what has been implemented.</td>
</tr>
<tr>
<td>4.2</td>
<td>A) Participation in a professional community</td>
<td>The teacher avoids participating in the professional community activities or has strained relationships with colleagues that negatively impact the learning community.</td>
<td>The teacher participates in professional community activities as required, maintaining cordial relationships with colleagues.</td>
<td>The teacher actively participates in the professional community by developing positive and productive professional relationships with colleagues.</td>
<td>The teacher makes a substantial contribution to the professional community by assuming appropriate leadership roles and promoting positive and professional relationships.</td>
</tr>
<tr>
<td></td>
<td>B) Professional development</td>
<td>The teacher resists applying learning gained from professional development activities, and does not share knowledge with colleagues.</td>
<td>The teacher applies learning gained from professional development activities, and makes limited contributions to others or the profession.</td>
<td>The teacher welcomes professional development opportunities and applies the learning gained to practice based on an individual assessment of need. The teacher willingly shares expertise with others.</td>
<td>The teacher seeks out professional development opportunities and applies the learning gained to practice. The teacher initiates activities that contribute to the profession.</td>
</tr>
<tr>
<td></td>
<td>C) Shared commitment</td>
<td>The teacher demonstrates little commitment to supporting shared agreements that support student learning.</td>
<td>The teacher adheres to shared agreements that support student learning.</td>
<td>The teacher contributes to and actively endorses shared agreements that support student learning.</td>
<td>The teacher assumes a leadership role in contributing to, endorsing and encouraging others to embrace the shared agreements that support student learning.</td>
</tr>
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<tr>
<td>4.3</td>
<td>A) Ethics and professionalism</td>
<td>The teacher has little sense of ethics and professionalism, and contributes to practices that put adult interests ahead of students.</td>
<td>The teacher displays a moderate level of ethics and professionalism in dealing with colleagues.</td>
<td>The teacher displays a high level of ethics and professionalism in dealings with both colleagues and students.</td>
<td>The teacher displays the highest level of ethics and professionalism, consistently working to support traditionally underserved students.</td>
</tr>
<tr>
<td>Uphold and exhibit the CMO norms and expectations</td>
<td>B) Norms described by school/CMO handbooks</td>
<td>The teacher inconsistently complies with school and CMO policies and timelines.</td>
<td>The teacher complies with school and CMO policies and timelines, doing just enough to &quot;get by.&quot;</td>
<td>The teacher fully supports and complies with school and CMO policies and timelines.</td>
<td>The teacher assumes a leadership role in modeling school and CMO policies and timelines and encourages others to support them.</td>
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</table>
## Aspire Instructional Rubric (AIR)

**2013-2014**

<table>
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<tr>
<td><strong>5.1</strong></td>
<td>A) Initiation of meaningful communication</td>
<td>The teacher provides minimal information to parents about individual students, and/or the communication is inappropriate to the cultures of the families.</td>
<td>The teacher adheres to the school's required procedures for communicating with families with an awareness of cultural norms</td>
<td>The teacher initiates communication with parents about students' progress on a regular basis, respecting cultural norms.</td>
<td>The teacher promotes frequent two-way communication with parents to improve student learning with students contributing to the design of the system.</td>
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<td></td>
<td>B) Responsiveness to parent inquiries and communication</td>
<td>The teacher does not respond, or regularly responds insensitively to parent concerns about students.</td>
<td>The teacher responds to parent concerns in a superficial or cursory manner, or responses may reflect occasional insensitivity</td>
<td>The teacher responds to parent concerns in a timely and culturally respectful manner.</td>
<td>The teacher responds to parent concerns in a proactive, timely manner and handles this communication with great professional and cultural sensitivity.</td>
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<td></td>
<td>C) Inclusion of the family as a partner in learning decisions</td>
<td>The teacher makes no attempt to engage families in the instructional program, or such efforts are inappropriate.</td>
<td>The teacher makes modest and partially successful attempts to engage families in the instructional program.</td>
<td>The teacher's efforts to engage families in the instructional program are frequent and successful.</td>
<td>The teacher's efforts to engage families in the instructional program are frequent and successful. Students contribute ideas for projects that will be enhanced by family participation.</td>
</tr>
<tr>
<td><strong>5.2</strong></td>
<td>A) Provision of parent education efforts to support students' academic success and college readiness</td>
<td>The teacher does not provide parents with strategies to support their child's success and college readiness.</td>
<td>The teacher provides parents with limited strategies to support their child's success and college readiness.</td>
<td>The teacher provides parents with several strategies to support their child's success and college readiness including resources outside of the school.</td>
<td>The teacher works collaboratively with parents to identify appropriate strategies to support their child's success and college readiness including resources outside of the school. Students initiate the use of strategies with their parents.</td>
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<tr>
<td>5.3</td>
<td>A) Goal setting and advocacy</td>
<td>There is little / no evidence that students work with the teacher to establish learning goals, or that the teacher advocates for students to establish high learning goals.</td>
<td>There is evidence that the teacher advocates for groups of students to establish high learning goals, and that he/she works with students as a group to set goals.</td>
<td>The teacher encourages and advocates for students to attain high learning goals, works to help set and monitor goals, and integrates curriculum experiences that connect to student goals.</td>
<td>The teacher establishes processes through which students establish and monitor high personal learning goals, and self-advocate for their attainment of the goals. The teacher integrates curriculum experiences that provide connections to the goals.</td>
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<td></td>
<td>B) Knowledge of community resources</td>
<td>The teacher is unaware of resources for students available through the school, CMO or community that students may access to learn about success in college and beyond.</td>
<td>The teacher demonstrates knowledge of resources for students available through the school or CMO, but has limited knowledge of resources available more broadly, or does not work to utilize the available resources to support student understanding of success in college and beyond.</td>
<td>The teacher displays awareness of resources for students available through the school or CMO, and familiarity with resources external to the school and on the Internet; available resources are utilized to increase relevance and student understanding of success in college and beyond.</td>
<td>The teacher demonstrates extensive knowledge of resources for students, including those available through the school or CMO, in the community, and on the Internet. Students identify and incorporate resources relevant to them, and that increases their understanding of success in college and beyond.</td>
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<tr>
<td></td>
<td>C) Support for students in accessing these resources</td>
<td>The teacher is unaware of resources and therefore unable to support students accessing resources.</td>
<td>The teacher refers students to other adults in the school to support students in accessing resources.</td>
<td>The teacher supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts.</td>
<td>The teacher supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts. The teacher promotes the students in taking responsibility for identifying and maintaining contacts with resources.</td>
</tr>
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</table>
## Domain 1: Leadership, Vision and Culture

<table>
<thead>
<tr>
<th>Standards</th>
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</table>
| **1.1** Embraces a shared vision of academic success for every student | A) Maintains a school-wide focus on high standards of achievement  
B) Creates a strong learning culture that communicates “college for certain” |
| **1.2** Exemplifies leadership | A) Applies adaptive leadership appropriate to the situations and context of the school  
B) Develops new leaders and provides leadership opportunities as appropriate  
C) Designs and utilizes effective forms of formal and informal communication |
| **1.3** Ensures that students demonstrate consistent values and behaviors aligned to school’s vision and mission | A) Effectively fosters a safe and civil environment  
B) Establishes a culture of respect and rapport which supports students’ emotional safety  
C) Creates and inclusive and positive school culture that values diversity and meets the needs of all students |
| **1.4** Allocates resources effectively to support student learning goals | A) Maintains a balanced budget focused on improving student achievement  
B) Manages time and prioritizes effectively |

## Domain 2: People Management

<table>
<thead>
<tr>
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</table>
| **2.1** Strategically recruits, hires, and retains most qualified staff | A) Attracts and selects effective teammates  
B) Mentors, develops and retains staff |
| **2.2** Creates supportive working environments | A) Manages employees by setting clear expectations and accountable goals  
B) Builds a collaborative, well-functioning team  
C) Manages conflict |

## Domain 3: Instructional Leadership

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<tr>
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</table>
| **3.1** Demonstrates knowledge of instruction | A) Clearly defines, sets expectations around and supports implementation of Aspire Instructional Guidelines (IG’s)  
B) Clearly defines, sets expectations around and supports implementation of effective teaching as defined in the TCRP Aspire Instructional Rubric (AIR) |
| **3.2** Provides coaching, supervision and evaluation of teachers | A) Uses teacher observation and feedback to increase student achievement  
B) Provides support to teachers in developing instructional plans |
| **3.3** Uses data to increase student achievement | A) Establishes goals for overall student achievement  
B) Regularly analyzes data and engages in data talks |
| **3.4** Provides effective data driven professional development aligned with staff needs and school-wide goals | A) Provides professional development related to growth goals  
B) Actively participates in providing professional development |
<p>| <strong>3.5</strong> Implements programs and systems to meet individual student needs | A) Ensures that appropriate school-level and classroom level programs and practices are in place to help students meet individual achievement needs when data indicate interventions are needed |
| B) Ensures that appropriate school-level and classroom level programs and practices are in place to help students with special needs meet individual achievement goals according to IEP or 504 plan |</p>
<table>
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<tr>
<th>Domain 4: Professional Responsibilities</th>
<th>Domain 5: Partnerships, Family and Community</th>
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<tr>
<td><strong>Standards</strong></td>
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</tr>
<tr>
<td>4.1 Engage in critical reflection, constantly revising practice to increase effectiveness</td>
<td>A) Acceptance of feedback</td>
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<td>A) Participation in a professional community</td>
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<td>B) Professional development</td>
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<td>C) Shared commitment</td>
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<tr>
<td>4.2 Engage in collaborative relationships with peers to learn and share best practices and ensure continuity in student learning</td>
<td>A) Ethics and professionalism</td>
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<td>B) Norms described by school/CMO handbooks</td>
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<tr>
<td>4.3 Uphold and exhibit the CMO norms and expectations</td>
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<tr>
<td><strong>Domain 5: Partnerships, Family and Community</strong></td>
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</tr>
<tr>
<td>5.1 Develop two-way communication with families about student learning and achievement</td>
<td>A) Initiation of meaningful communication</td>
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<td>B) Responsiveness to parent inquiries and communication</td>
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<td>C) Inclusion of the family as a partner in learning decisions</td>
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<tr>
<td>5.2 Equip families with a variety of strategies to support their child's success and college readiness</td>
<td>A) Provision of parent education efforts to support students</td>
</tr>
<tr>
<td>5.3 Help students leverage resources in their community that support their success in college and beyond</td>
<td>A) Goal setting and advocacy</td>
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<td>B) Knowledge of community resources</td>
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<td>C) Support for students in accessing these resources</td>
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<td>1.1 Embraces a shared vision of academic success for every student</td>
<td>A) Maintains a school-wide focus on high standards of student achievement</td>
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<td>B) Creates a strong learning culture that communicates &quot;college for certain&quot;</td>
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<td>1.2 Exemplifies leadership</td>
<td>A) Applies adaptive leadership appropriate to the situation and the context of the school</td>
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<td>B) Develops new leaders and provides leadership opportunities as appropriate</td>
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<td>C) Designs and utilizes effective forms of formal and informal communication</td>
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</table>
### Domain 1: Leadership, Vision and Culture

**February 2013**

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<tr>
<td>A) Effectively fosters a safe and civil environment</td>
<td>Student discipline policy is handled inconsistently or not at all. School environment does not feel safe and respectful.</td>
<td>Student discipline policy is handled inconsistently, but student behavior is orderly most of the time. School environment feels safe and respectful.</td>
<td>Student discipline policy is handled consistently. School environment feels safe and respectful.</td>
<td>Student discipline policy is handled consistently. Student behavior is reflective of an effective learning community. School environment is not only safe and respectful, but also reflects a rigorous academic focus.</td>
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</tr>
<tr>
<td>B) Establishes a culture of respect and rapport which supports students' emotional safety</td>
<td>Interactions with some students are negative, demeaning, or inappropriate to the age and needs of the students OR students exhibit disrespect for the principal.</td>
<td>Interactions with students inconsistently demonstrate respect and positivity, or are not consistently appropriate for the age and needs of students OR students inconsistently exhibit respect for the principal.</td>
<td>Interactions with students are respectful, positive and appropriate for the age and needs of students AND students exhibit respect for the principal.</td>
<td>Interactions with students are respectful, positive and appropriate for the age and needs of student. AND Students exhibit respect for the principal. AND The principal's interactions demonstrate a positive rapport with individual students.</td>
<td></td>
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<tr>
<td>C) Creates an inclusive and positive school culture that values diversity and meets the needs of all students</td>
<td>Demonstrates limited awareness of the impact of diversity on student learning; does not help staff to navigate strengths and challenges provided by diverse students or perspectives; does not engage in courageous conversations about biases or has a limited skill set in addressing biased language and behaviors</td>
<td>Recognizes the impact of diversity on student learning; attempts to create a learning environment that is supportive of all students; develops systems to support diverse student needs; seeks opportunities or reactively engages in courageous conversations about diversity and culture and how they impact student learning</td>
<td>Creates a learning environment that is welcoming and supportive of all students and families; engages staff in addressing learning needs and challenges originating from diversity and difference and creates systems to address these needs; develops staff capacity to engage in courageous conversations about how diversity and culture and how they impact student learning</td>
<td>Creates a learning environment that is welcoming and supportive of all students and families; Builds staff capacity to provide and lead supports for diverse groups; builds the school's and community's collective capacity by initiating direct conversations about culture and diversity; recognizes and integrates the learning opportunities that come from a diverse community</td>
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<tr>
<td>1.4 Allocates resources effectively to support student learning goals</td>
<td>A) Maintains a balanced budget focused on improving student achievement</td>
<td>Does not manage budget effectively; budget does not meet bottom line; does not understand the basics of the budget nor makes any effort to learn.</td>
<td>Attempts to manage budget effectively to meet bottom line; is slightly over budget; understands basic principles of budget management</td>
<td>Manages budget effectively to meet bottom line; manages and monitors fiscal resources efficiently and effectively on improving student learning; understands finance and accounting principals; finds ways to increase revenues and decrease costs as much as possible</td>
<td>Manages budget effectively to meet bottom line; manages and monitors fiscal resources efficiently and effectively on improving student learning; understands finance and accounting principals; finds creative ways to maximize revenue and minimize costs; works with staff and community to match priorities with spending.</td>
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<td></td>
<td>B) Manages time and prioritizes effectively</td>
<td>Is completely reactive; acts mostly in response to crisis; fails to spend time on the school's core mission</td>
<td>Makes a deliberate effort to spend time on the most mission-critical activities</td>
<td>Organizes time around the school's goals; is efficient taking care of lower priority items</td>
<td>Organizes the way time is spent throughout the school to ensure a focus on the school and organization's goals; ensures that time is well-spent by all staff</td>
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## Domain 2: People Management

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<tr>
<td>2.1 Strategically recruits, hires, and retains most qualified staff</td>
<td>A) Attracts and selects effective teammates</td>
<td>Identifies or selects candidates based on inappropriate criteria; does use a sound and consistent process for hiring</td>
<td>Relies on Aspire-wide advertising to attract candidates; uses Aspire criteria and process to select staff</td>
<td>Uses multiple channels to identify and recruit strong candidates; consistently uses Aspire criteria and process to select staff</td>
<td>Proactively uses multiple channels to identify and recruit top performers for Aspire beyond school site; selects staff that represents a balanced mix of strengths and styles</td>
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<td></td>
<td>B) Mentors, develops and retains staff</td>
<td>Does not implement strategies to assess professional goals; does not create and implement processes to mentor new teachers and staff</td>
<td>Implements strategies to assess staff professional goals; creates and implements a system to identify, support, mentor and coach members are new or emerging leaders who need additional support</td>
<td>Consistently implements strategies to assess and support staff professional goals; creates and implements a system to identify, support, mentor and coach members are new or emerging leaders who need additional support</td>
<td>Consistently implements strategies to assess and support staff professional goals and provides differentiated support; creates and implements a system to identify, support, mentor and coach members are new or emerging leaders who need additional support</td>
</tr>
<tr>
<td>2.2 Creates supportive working environments</td>
<td>A) Manages employees by setting clear expectations and accountable goals</td>
<td>Sets unclear expectations with staff; does not create PLP goals; staff performance is not monitored regularly; resists discussing results and metrics with staff; consistently underperforming staff are not placed on improvement plans</td>
<td>Creates PLP's for some but not all staff; places consistently underperforming staff on improvement plans but not in a timely manner and lacks sufficient data documentation or does not follow-through with implementation of plan</td>
<td>Creates PLP's for all staff aligned to AIR, school goals, or Aspire Must Achieve; consistently places underperforming staff on improvement plans using sufficient evidence AND provides appropriate support</td>
<td>Creates a culture of accountability; creates individual PLP goals for all staff that align to Aspire AIR, school goals, and Aspire Must Achieve; creates improvement plans for underperforming staff based on multiple sources of evidence with sufficient supplemental documentation AND provides appropriate support</td>
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<td>B) Builds a collaborative, well-functioning team</td>
<td>Does not promote collaborative behavior among staff members; allows strong individuals to derail productive group work</td>
<td>Encourages staff to collaborate but lacks a culture of shared accountability; some but not all staff feel part of the team</td>
<td>Enables frequent collaboration among staff members; uses individuals' strengths effectively; creates a culture of shared accountability</td>
<td>Creates a culture of collaboration and mutual support; uses individual strengths effectively; fosters employee skills in team-building; creates a strong culture of shared accountability</td>
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<td>C) Manages conflict</td>
<td>Has little awareness of potential problems and/or areas of conflict with the school; does not have processes to resolve problems or areas of conflict OR</td>
<td>Demonstrates awareness of potential problems and/or areas of conflict with the school; has some processes in place to resolve problems and conflicts</td>
<td>Is aware of potential problems and areas of conflict within the school; establishes processes to resolve problems and conflicts and does so consistently to result</td>
<td>Is aware of potential problems and areas of conflict within the school; establishes processes to resolve problems and conflicts skillfully and does</td>
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<tr>
<td>does so inconsistently</td>
<td>conflict</td>
<td>in the best interest of students and the school</td>
<td>so consistently to result in the best interest of students and the school AND develops the capacity of all school staff to manage conflict effectively</td>
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<td>3.1 Demonstrates knowledge of instruction</td>
<td>A) Clearly defines, sets expectations around and supports implementation of Aspire Instructional Guidelines</td>
<td>Does not understand Aspire Instructional Guidelines or has no vision for implementation of Aspire IG's; does not use IG's in coaching teachers</td>
<td>Is aware of Aspire IG's and has some vision for implementation; occasionally uses Aspire IG's in coaching teachers</td>
<td>Understands Aspire IG's and has a vision for implementation; regularly reinforces them in coaching teachers</td>
<td>Thoroughly understands the nuances of Aspire IG's and has a shared school-wide vision for implementation; models and reinforces their constant implementation and uses the to coach teachers</td>
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<td></td>
<td>B) Clearly defines, sets expectations around and supports implementation of effective teaching as defined in the TCRP Aspire Instructional Rubric (AIR)</td>
<td>Does not understand Aspire Instructional Rubric or has no vision for implementation of TCRP AIR; does not use AIR in coaching teachers</td>
<td>Is aware of Aspire Instructional Rubric and has some vision for implementation; occasionally uses the TCRP AIR in coaching teachers</td>
<td>Understands the TCRP AIR and has a vision for implementation; regularly reinforces them in coaching teachers</td>
<td>Thoroughly understands the nuances of TCRP AIR and has a shared school-wide vision for implementation; models and reinforces their constant implementation and uses the to coach teachers</td>
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<td>3.2 Provides coaching, supervision and evaluation of teachers</td>
<td>A) Uses teacher observation and feedback to increase student achievement</td>
<td>Spends very little time in classrooms observing teachers OR conducts less than 3 mini observations and 1 formal observation per teacher OR observes teachers but does not follow-up with teachers</td>
<td>Observes and provides informal feedback (including follow-up with teachers) for most teachers at least monthly AND provides teachers with feedback for at least 3 mini observations and 1 formal observation aligned with TCRP Aspire Instructional Rubric</td>
<td>Maintains a regular schedule of classroom observations spending an average of one hour per day in classrooms and ensuring that every teacher is substantively observed at least weekly during the school year AND observation times and topics are geared towards educators' professional development goals; explicitly links observations to educators' personalized learning plans, TCRP AIR, school goals, student achievement data and Aspire Must Achieves in a continuous way AND uses a variety of formal and informal methods to provide teachers with timely feedback (written and verbal) aligned to Aspire AIR beyond 3 mini observations and 1 formal observation</td>
<td>Maintains a regular schedule of classroom observations and ensures that all teachers are substantively observed at least weekly during the school year AND observation times and topics are geared towards educators' professional development goals; explicitly links observations to educators' personalized learning plans, TCRP AIR, school goals, student achievement data and Aspire Must Achieves in a continuous way AND uses a variety of formal and informal methods to provide teachers with timely feedback (written and verbal) aligned to Aspire AIR beyond 3 mini observations and 1 formal observation.</td>
</tr>
<tr>
<td>B) Provides support to teachers in developing instructional plans</td>
<td>Does not participate in planning with teachers; does not provide teachers with feedback on lesson plans</td>
<td>Participates in planning with teachers, but does so inconsistently or does not make a valuable contribution to the planning process; inconsistently provides feedback on lesson plans or does not provide meaningful feedback</td>
<td>Participates in planning with teachers regularly; consistently provides meaningful feedback on lesson plans</td>
<td>Participates in planning with teachers regularly; consistently provides feedback on lesson plans to advance teacher effectiveness on the Aspire Instructional Rubric (AIR)</td>
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## Domain 3: Instructional Leadership

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<td>3.3</td>
<td>A) Establishes goals for overall student achievement</td>
<td>Attempts to establish written achievement goals at the school level but does not complete the task or does so partially</td>
<td>Establishes written achievement goals at the school level</td>
<td>Establishes written achievement goals at the school level and regularly refers to these goals and reminds faculty and staff of these goals</td>
<td>Incorporates the use of data into the daily life of the school, consistently tracking and analyzing a variety of metrics against goals to continually improve teaching in the school; analyzes data in aggregate by subgroups to reinforce school goals and guide daily activities AND regularly conducts and participates in Cycles of Inquiry</td>
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<td></td>
<td>B) Regularly analyzes data and engages in data talks</td>
<td>Does not use data in making decisions or coaching teachers; does not make data available to staff; does not engage in regular data talks</td>
<td>Periodically reviews data provided by the state or Home Office; reviews and discusses school-wide data with staff</td>
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<tr>
<td>3.4</td>
<td>A) Provides professional development related to growth goals</td>
<td>Attempts to ensure that job-embedded professional development is provided to teachers but does not complete the task or does so partially</td>
<td>Ensures that job-embedded professional development is provided to teachers</td>
<td>Ensures that job-embedded professional development is provided to teachers that is directly related to their growth goals</td>
<td>Ensures that job-embedded professional development is provided to teachers that is directly related to their growth goals AND continually re-evaluates the professional development program to ensure that it remains job-embedded and focused on teacher growth goals</td>
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<td>B) Actively participates in providing professional development</td>
<td>Displays little or no evidence of new learning or sharing that learning with colleagues</td>
<td>Occasionally devotes faculty meetings to professional development and shares personal learning experience with colleagues but relies on others to lead each professional development opportunity</td>
<td>Regularly engages staff in professional development AND personally leads professional development at various times throughout the school year</td>
<td>Regularly engages staff in professional development AND is an active participant in professional development by leading or collaboratively conducting professional development with teachers or other experts</td>
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<tr>
<td>A) Ensures that appropriate school-level and classroom-level programs and practices are in place to help students meet individual achievement goals when data indicate interventions are needed</td>
<td>Attempts to ensure that programs and practices, such as RTI, are in place for individuals who are not making adequate progress, but does not complete the task or does so partially</td>
<td>Ensures that programs and practices are in place, such as RTI, for individual students who are not making adequate progress</td>
<td>Ensures that programs and practices are in place, such as RTI, for individual students who are not making adequate progress and that students are successfully completing these programs</td>
<td>Ensures that programs and practices are in place, such as RTI, for individual students who are not making adequate progress and that students are successfully completing these programs AND continually expands the options for individual students to make adequate progress</td>
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<tr>
<td>3.5 Implements programs and systems to meet individual student needs</td>
<td>Attempts to ensure that programs and practices are in place for students with IEPs or 504s, but does not complete the task or does so partially; out of compliance</td>
<td>Ensures that programs and practices are in place for students with IEPs or 504s; accommodations are implemented inconsistently</td>
<td>Ensures that programs and practices are in place for students with IEPs or 504s and that students are successful in these programs AND continually expands the options for individual students to make adequate progress AND ensures that accommodations are implemented consistently</td>
<td>Ensures that programs and practices are in place for students with IEPs or 504s and that students are successful in these programs AND continually expands the options for individual students to make adequate progress AND ensures that accommodations are implemented consistently and modified as needed</td>
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## Domain 4: Professional Responsibilities

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<tr>
<td>4.1</td>
<td>A) Acceptance of feedback</td>
<td>The principal is resistant to feedback from supervisors or colleagues for use in improving practice.</td>
<td>The principal accepts feedback from supervisors and colleagues for use in improving practice.</td>
<td>The principal welcomes feedback from supervisors and colleagues for use in improving practice.</td>
<td>The principal seeks out feedback from supervisors and colleagues for use in improving practice.</td>
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<td>A) Participation in a professional community</td>
<td>The principal avoids participating in the professional community activities or has strained relationships with colleagues that negatively impact the learning community.</td>
<td>The principal participates in professional community activities as required, maintaining cordial relationships with colleagues.</td>
<td>The principal actively participates in the professional community by developing positive and productive professional relationships with colleagues.</td>
<td>The principal makes a substantial contribution to the professional community by assuming appropriate leadership roles and promoting positive and professional relationships.</td>
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<td>4.2</td>
<td>B) Professional development</td>
<td>The principal resists applying learning gained from professional development activities, and does not share knowledge with colleagues.</td>
<td>The principal applies learning gained from professional development activities, and makes limited contributions to others or the profession.</td>
<td>The principal welcomes professional development opportunities and applies the learning gained to practice based on an individual assessment of need. The teacher willingly shares expertise with others.</td>
<td>The principal seeks out professional development opportunities and applies the learning gained to practice. The teacher initiates activities that contribute to the profession.</td>
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<td>C) Shared commitment</td>
<td>The principal demonstrates little commitment to supporting shared agreements that support student learning.</td>
<td>The principal adheres to shared agreements that support student learning.</td>
<td>The principal contributes to and actively endorses shared agreements that support student learning.</td>
<td>The principal assumes a leadership role in contributing to, endorsing and encouraging others to embrace the shared agreements that support student learning.</td>
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## Domain 4: Professional Responsibilities

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<tr>
<td>4.3 Uphold and exhibit the CMO norms and expectations</td>
<td>A) Ethics and professionalism</td>
<td>The principal has little sense of ethics and professionalism, and contributes to practices that put adult interests ahead of students.</td>
<td>The principal displays a moderate level of ethics and professionalism in dealing with colleagues.</td>
<td>The principal displays a high level of ethics and professionalism in dealings with both colleagues and students.</td>
<td>The principal displays the highest level of ethics and professionalism, consistently working to support traditionally underserved students.</td>
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<td>B) Norms described by school/CMO handbooks</td>
<td>The principal inconsistently complies with school and CMO policies and timelines.</td>
<td>The principal complies with school and CMO policies and timelines, doing just enough to “get by.”</td>
<td>The principal fully supports and complies with school and CMO policies and timelines.</td>
<td>The principal assumes a leadership role in modeling school and CMO policies and timelines and encourages others to support them.</td>
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<tr>
<td>5.1</td>
<td>A) Initiation of meaningful communication</td>
<td>The principal provides minimal information to parents about individual students, and/or the communication is inappropriate to the cultures of the families.</td>
<td>The principal adheres to the school’s required procedures for communicating with families with an awareness of cultural norms.</td>
<td>The principal initiates communication with parents about students’ progress on a regular basis, respecting cultural norms.</td>
<td>The principal promotes frequent two-way communication with parents to improve student learning with students contributing to the design of the system.</td>
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<td></td>
<td>B) Responsiveness to parent inquiries and communication</td>
<td>The principal does not respond, or regularly responds insensitively to parent concerns about students.</td>
<td>The principal responds to parent concerns in a superficial or cursory manner, or responses may reflect occasional insensitivity.</td>
<td>The principal responds to parent concerns in a timely and culturally respectful manner.</td>
<td>The principal responds to parent concerns in a pro-active, timely manner and handles this communication with great professional and cultural sensitivity.</td>
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<td>C) Inclusion of the family as a partner in learning decisions</td>
<td>The principal makes no attempt to engage families in the instructional program, or such efforts are inappropriate.</td>
<td>The principal makes modest and partially successful attempts to engage families in the instructional program.</td>
<td>The principal efforts to engage families in the instructional program are frequent and successful.</td>
<td>The principal’s efforts to engage families in the Instructional program are frequent and successful. Students contribute ideas for projects that will be enhanced by family participation.</td>
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<tr>
<td>5.2</td>
<td>A) Provision of parent education efforts to support students</td>
<td>The principal does not provide parents with strategies to support their child’s success and college-readiness.</td>
<td>The principal provides parents with limited strategies to support their child’s success and college-readiness.</td>
<td>The principal provides parents with several strategies to support their child’s success and college-readiness including resources outside of the school.</td>
<td>The principal works collaboratively with parents to identify appropriate strategies to support their child’s success and college-readiness including resources outside of the school. Students initiate the use of strategies with their parents.</td>
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<td>5.3</td>
<td>B) Knowledge of community resources</td>
<td>The principal is unaware of resources for students available through the school or CMO, but has limited knowledge of resources available more broadly, or does not work to utilize the available resources to support students understanding of success in college and beyond.</td>
<td>The principal demonstrates knowledge of resources for students available through the school or CMO, and familiarity with resources external to the school and on the Internet; available resources are utilized to increase relevance and student understanding of success in college and beyond.</td>
<td>The principal displays awareness of resources for students available through the school or CMO, and incorporates resources relevant to them, and that increases their understanding of success in college and beyond.</td>
<td>The principal supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts. The teacher promotes the students in taking responsibility for identifying and maintaining contacts with resources.</td>
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<td>C) Support for students in accessing these resources</td>
<td>The principal is unaware of resources and therefore unable to support students accessing resources.</td>
<td>The principal refers students to other adults in the school to support students in accessing resources.</td>
<td>The principal supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts.</td>
<td>The principal supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts.</td>
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APPENDIX J

School Safety Plan
APPENDIX J

ASPIRE-OLLIN UNIVERSITY PREP. ACADEMY
COMPREHENSIVE SCHOOL SAFETY PLAN

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INTRODUCTION
Aspire Public Schools is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers Aspire’s policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

CAMPUS SAFETY AND SECURITY
Each school and its staff members will maintain policies, practices and procedures so that the campus is physically secure and safe.

Entrances and Exits
The school principal and office manager should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:
- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

Releasing Students
Aspire employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal’s designee or Aspire counsel before releasing the student.

Visitors Policy
Aspire encourages interested members of the community to visit our schools. To avoid potential disruptions to learning, to provide visitors with the information they need, and for the safety of students and staff, ALL visitors should register immediately upon entering any school building or grounds. Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of
their visit. Students from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form should include spaces for the following information
- Name;
- His/her purpose for entering school grounds;
- Destination within the school
- Time in and out

At his/her discretion, the principal, office manager or designee may also request
- proof of identity
- address
- occupation and company affiliation
- age (if less than 21); and any other information consistent with law.

Parents and guardians visiting during the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log or a special log for parents. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child’s classroom.

Aspire employees from school campuses and the Home Office are strongly encouraged to notify the office manager and principal upon arrival and should wear badges signifying that they are Aspire employees. However, formal visitor registration is at the discretion of the school principal or designee.

VIP Visitors accompanied by any Aspire management team member (Vice-President level and above only) may be requested to register as a visitor at the discretion of the accompanying Aspire management team member.

Students not enrolled at the school who wish to use the school grounds for recreation during the school day are, at the discretion of the principal, also subject to Aspire’s visitor policy.

The principal or designee may refuse to register any visitor if he or she reasonably concludes that the visitor’s/outsider’s presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

The principal or designee may request that a visitor/outsider who has failed to register, or whose registration privileges have been denied or revoked, to promptly leave school grounds. If necessary, the principal or designee may call the local police to enforce the departure of the visitor/outsider.
When a visitor/outsider is directed to leave, the principal or designee shall inform the visitor/outsider that if he or she reenters the school within seven (7) days, he or she will be guilty of a misdemeanor and subject to a fine and/or imprisonment. (Penal Code 627.7).

All schools shall inform parents annually about the school’s policies regarding visitors/outsiders, and remind parents that to maximize safety and security they should also register when visiting the school.
This visitor/outsider policy is subject to the further terms and conditions contained in Aspire’s Registered Sex Offender Policy, set forth below.

**Fingerprinting Policy**

For the protection of students, California State law requires criminal background checks for all public school employees, as well as any individual working alone with minors in a school setting. In most cases, fingerprinting is completed with a “Live Scan” machine which takes an electronic picture of the fingerprints (rather than using an ink pad). The fingerprints are then compared to the Federal Bureau of Investigations (FBI) and/or Department of Justice (DOJ) databases.

*Who should be fingerprinted*

All new school site employees must be fingerprinted and cleared before they begin work. Individuals who were previously fingerprinted when they worked in another school district must be fingerprinted again to ensure that Aspire is notified if the person subsequently commits a felony or misdemeanor.

In addition, any volunteers who have the occasion to be alone with an Aspire pupil while not in the presence of a credentialed Aspire employee must receive fingerprint clearance prior to volunteering on campus. Volunteers do not have to be fingerprinted only if they are working under the direct and continual supervision of a credentialed school employee in the same room, and will have no occasion to be alone with an Aspire pupil. This policy also applies to parents/guardians of Aspire students who volunteer at the school and may have the occasion to be alone with an Aspire pupil other than their own child.

The actual background check depends on the individual’s residency history. If the individual has resided in the state of California for more than 5 years, only DOJ check is required. If the individual has resided in the state of California for less than 5 years, DOJ and FBI checks are both required.

Note that most DOJ background checks take less than seven days, sometimes more. FBI background checks take considerably longer. Individuals who wish to work or volunteer at Aspire schools should plan to get fingerprinted as quickly as possible to avoid delays in commencing work or volunteer activities.

*Who pays for fingerprinting*

Aspire pays for Live Scan (fingerprinting) services for employees, using school general funds. Volunteers are requested to cover the cost of their own fingerprinting. If a potential volunteer is not able to pay for such fingerprinting, then the cost of the fingerprinting may be paid by the school’s booster club. If that entity does not have funds available, the cost will be paid by Aspire Home Office.

Please see complete Fingerprinting Policy & Procedure for specific details about how to get fingerprinted.

**Registered Sex Offender Policy**

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, principals and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of an Aspire school, or otherwise may be likely to attempt to visit an Aspire school for any reason whatsoever.
In accordance with “Megan’s Law”, the principal or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General’s Megan’s Law website, found at http://meganslaw.ca.gov, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

Aspire and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the principal or designee may, on a case-by-case basis, notify staff, including but not limited to, campus supervisors, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the principal or designee informs any staff member of the information about a registered sex offender, the principal or designee shall also inform the staff member of the following:

a) Aspire schools will share public registered sex offender information with staff members of a particular school to assist in identifying a danger;
b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and
c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the principal or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the principal or designee. When the principal or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the principal, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the principal or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

a) To establish a positive, cooperative working relationship to the extent possible;
b) To discuss the incident(s) leading to the registration requirement, (Aspire recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of Aspire);
c) To explain the limitations placed upon the parent’s/guardian’s participation in school programs, activities or visits, as specified in this policy;
d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required;
e) To develop joint strategies with the parent/guardian for “normalizing” the educational experience of his/her children to the fullest extent possible; and
f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent’s/guardian’s ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event, it may be held at a location within the principal’s or designee’s discretion. If this meeting with the parent is not held, the principal or designee shall notify the parent/guardian in writing of the information contained in this policy. Aspire recognizes the following rights of the parent/guardian to participate in his/her child’s education:

a) To transport his/her child to and from school;
b) To attend regularly scheduled parent conferences with the teacher, principal or other school official; and
c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights, and to that end, a registered sex offender shall not:

a) Serve as a school or class volunteer;
b) Act as a chaperone on a school field trip;
c) Be in the presence of children for any reason other than for the parent rights stated herein; and
d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan’s Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders. NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least $500 and not more than $1000.

**EMERGENCY PREPAREDNESS**

Every school should have emergency preparedness procedures readily on hand, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.
Drills
It is the principal’s responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Office Manager may be asked to help out. Those drills are:

- **Fire Drill:** At least once per quarter, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- **Civil Defense Drill:** A Civil Defense Drill should be conducted at least twice each school year following the (school’s or Aspire’s) Civil Defense Procedure.
- **Earthquake Duck & Cover Drill:** This drill should be performed twice per school year.
- **Major Disaster Drill:** This drill should be performed twice per school year so personnel are oriented to the (School or Aspire) Major Disaster Plan.

Civil Defense Procedures
Civil defense procedures are established to promote the safety of children and adults during a period of civil emergency. The local Civil Defense and Disaster Council is responsible for coordinating disaster planning among the cities in your area. It is through this coordination that information and warning notifications are communicated. An Emergency Warning System, which includes sirens strategically positioned throughout the school’s county, becomes the major Civil Defense alarm.

In addition, schools will receive warning through telephone communications from the local county office.

Alert Signals
The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster.

**At the sound of the “Alert” signal:**
- All students in transit between classrooms, in restrooms, etc., will walk to their assigned classrooms.
- Children on the playground or library will return to their assigned classrooms.
- Each teacher will stay in the classroom with his/her students.
- Each custodian will report to the school office for instructions.

**At the sound of the “Take Cover” signal:**
- Students will position themselves under desks or tables.
- Students on the playground or out of doors will drop, face down on the ground.
- Open all doors; leave windows as they are.
- The teacher should be ready with stories, songs, guessing games, etc., in case of an extended waiting period.

**At the “All Clear” signal:**
- Children will resume their regular class activities.
- When a building is unsafe to resume classroom instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
If an evacuation is found necessary, the principal will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

**Staff Responsibilities**

In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

**Principal**
- Sound appropriate alarm to evacuate building (fire drill) or take cover within the building (civil defense).
- Following fire drill procedures, check the building to ensure that all students, personnel and visitors have evacuated the building.
- Provide for administration of first aid and request other emergency assistance as needed.
- Keep the Home Office and your local county office informed and, if necessary, set up a telephone communications at a nearby residence or business.
- Give directions to police in search clearing procedures and take full responsibility for search.
- Coordinate supervision of students and all clean-up or security efforts.

**Teachers**
- Carry out appropriate emergency procedures to ensure the safety and welfare of students.
- Supervise children and maintain calm and order.
- Make sure you have access to the classroom copy of the students’ emergency cards.

**Office Manager**
- Assist and take direction from the principal.
- Make sure first aid supplies are handy in case they are needed.
- Carry out other duties as assigned.

**Custodial Engineers**
Shut off the valves for gas, water, electricity and air conditioning (if necessary).
Open all gates and doors to assembly and exit areas.

**Aides, Volunteers and Other Adults**
Should assist teachers working with students to keep them safe, orderly and comfortable.
Be on call for Administrators’ requests.

**Community Council**
In advance of emergencies, the Community Council should ensure the following emergency supplies are stored:

**A. Student Emergency Packets (1 per student)**
2 quarts of water
Solar blanket
Food for two days
Note from parents with emergency instructions
B. School Emergency Supplies:
First aid kits
Flashlights
Batteries
Radios
Megaphone
Walkie-talkies

Emergency Procedures
All classrooms should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

1. Principal assesses the situation.
2. Principal notifies all staff members of the emergency via PA, fire alarm, and/or megaphone.
3. Assigned person calls 911.
4. Assigned person notifies APS headquarters.
5. Principal or assigned person meets with emergency crews.
6. Assigned person(s) ensures all classrooms, hallways and restrooms on first floor are empty after escorting students to assigned location.
7. Assigned person(s) ensures all classrooms, hallways and restrooms on second floor are empty after escorting students to assigned location.
8. Assigned person(s) ensures the cafeteria and gym are empty.
9. Assigned person(s) greet, organize and comfort students outside the building.
10. Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Principal.
11. Assigned person(s) will direct students who need first aid to an assigned location.
12. Principal determines, in consultation with the emergency crews, whether to release students to their homes or to return students to classes and makes announcement via megaphone.
13. If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
14. All classroom teachers will ensure that students are released to guardians’ care.
15. In the case that counseling services are subsequently needed by any students, the Principal and an assigned person will coordinate that effort.
16. In the case that media coverage is an issue, Principal and an assigned person will control and organize press releases and media requests.

First Aid
The First Aid area should be located at an assigned place and properly stocked at all times. The First Aid team will consist of individuals assigned by the principal or designee.

DISASTER PLANS
Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom.
Fire
1. Principal, custodians and/or office manager will determine the location of the fire.
2. Office manager will phone 911, picks up emergency card binder and student medication and
leaves the building prepared to phone parents of any injured child.
3. Custodian or principal will sound the fire alarms.
4. Staff will follow emergency procedures previously described.
5. Students should leave the room in a single file, walk briskly but carefully, and stay in their class
    group when they reach their designated spot.

Earthquake
If indoors:
1. All drop down to the floor and duck and cover.
2. Turn away from windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover and be prepared to move with it.
5. Hold the position until the ground stops shaking.
6. When initial shaking stops, principal or office manager sounds alarms to evacuate the building.
7. Staff to follow emergency procedures previously described.

If outdoors:
1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Be prepared to duck and cover again due to after shocks.
5. Staff to follow emergency procedures previously described.

Flood/ Severe Weather
Warnings of severe weather are usually received via public radio or the State Warning Center. If time
and conditions permit, students may be sent home. However, if the weather conditions develop during
school hours, without sufficient warning, students should be held at school.

The principal will assess the situation and make an announcement over the PA or megaphone to A) evacuation, B) stay in classes or C) release students to go home.
See emergency procedures previously described for evacuation directions.

Electrical Failure
1. Principal and/or custodian notify the electrical company (PG&E) at 800-743-5000.
2. Office staff and classroom teachers turn off computers and other equipment that might be
damaged by a power surge when the service is restored.

Gas Line Break
1. Principal and/or custodian notify PG&E.
2. Principal and/or custodian notify the Fire Department.
3. Staff to follow the emergency procedures previously described.
**Water Main Break**
1. Principal and/or custodian notifies the water department.
2. Custodian shuts off water.
3. Principal or notifies the police.
4. Principal determines if it is necessary to follow the emergency procedures on page 6 to evacuate students and staff.

**Water Contamination**
1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify school office and APS headquarters.
3. Have custodian turn off pressure to drinking fountains and sinks.

**Chemical Spill/Incident**
If Indoors:
1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Head Custodian of the incident - contact 911 if necessary.
4. Head Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:
1. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated.
2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

**Lockdown/Shooting Incident**
If a shooting takes place the first priority is to shelter students and staff. On hearing shots or an announcement from Principal:
1. Teachers close and lock all classroom doors and windows immediately.
2. Teachers take roll.
3. Teachers calmly direct students to duck under their desks.
4. Principal calls 911.
5. Principal assigned person ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom or office.
6. Office personnel close and lock all office doors and windows immediately.
7. Nobody leaves their secure sites until emergency crew members escort them to safety.
8. Assigned person(s) will control and organize media.
9. Assigned person(s) will ensure that counseling services are available as soon as possible.
Bomb Threat
There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:
1. Notify Principal immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

If there is a citing of a suspicious object, the person would:
1. Notify Principal immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal and emergency crews.

In all cases:
1. If Principal determines to evacuate, staff follows emergency procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal and the emergency crew chief. Follow all emergency crew and bomb squad directives.
4. Use radios, walkie-talkies and phones only if absolutely necessary as the frequencies may set off the bomb(s).

Explosion
If indoors:
1. All drop down to the floor and duck and cover.
2. Turn away from the windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms of hold to the cover.
5. Hold the position until directed to the building.
6. Staff to follow the emergency procedures previously described.

If outdoors:
1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Staff to follow emergency procedures previously described.

Death/Suicide
1. Principal will be notified in the event of a death or suicide on campus.
2. Assigned person(s) will phone 911.
3. Assigned person(s) will phone APS headquarters.
4. Principal will notify teachers to keep students in their classrooms until informed otherwise.
5. Assigned person(s) will control and organize media.
6. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
7. Assigned person(s) will ensure that counseling services are available as soon as possible.

**Intruders/ Vicious Animals**
1. Call the school main office and office staff will check out the situation and take appropriate action (i.e., contact Police or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom doors and windows, move away from windows, draw curtains, remain silent.
5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or police/animal agency.

**SCHOOL UNIFORMS**
Aspire policy requires all students at Aspire schools to wear uniforms, beginning in the 2011-12 school year. Aspire Public Schools is committed to creating a culture of academic rigor in our schools. A uniform dress code encourages this atmosphere. Implementation of this policy will reduce distractions and disruptions caused by clothing, make economic disparities between students less obvious, minimize the use of clothing to signal gang affiliation and other risks to student safety, and promote student achievement and create an orderly learning environment.

- **Uniform selection:** The specific uniform (i.e. colors and other specifications) will be determined by the school site with consideration for feeder schools.
- **Support for needy families:** Each school will designate philanthropy or general funds to support families who may need assistance in meeting the uniform requirements.
- **Exceptions:** Because Aspire schools are schools of choice, there will be NO exemptions for students.

**STUDENT DISCIPLINE**
Aspire believes that one of the major functions of education is the preparation of youth for responsible citizenship. Aspire shall foster a learning environment that reinforces self-discipline and the acceptance of personal responsibility. In addition, Aspire shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide Aspire schools and personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in Aspire charter petitions, the policies and procedures for suspension and expulsion of Aspire students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.
These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability.

**Discipline in General**
Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student’s desk to a different part of the classroom;
- Assigning different or additional work appropriate to the infraction;
- Utilizing a peer mediation or student conflict resolution program;
- Individual conversation with the classroom teacher about behavior and consequences;
- Utilizing a written referral framework;
- Designating selected classrooms and teachers (typically, lead teachers or advisors) as places for “time out”;
- Referring students to the principal or a designee;
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention;

All Aspire employees will report unmanageable or unusual behavior of students to the school principal or designee as soon as possible. The school principal or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

**Suspension**
Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons. A suspension does not mean any of the following:

1. Reassignment to another class at the same school where the student will receive continuing instruction for the school day.
2. Referral to an advisor assigned that role by the Principal.

While on suspension from school, the student is not to loiter on or about any school grounds at any time, nor to attend any Aspire activity at any time, no matter where such activity may be taking place. Violation may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means have not been successful or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.

**Authority to Suspend:**
1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The Superintendent or his/her designee may extend a student’s suspension pending final decision by the Aspire Board of Directors – Executive Committee (“Aspire Executive Committee”) on a recommendation for expulsion.
4. A student udent being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Aspire Executive Committee on a recommendation for expulsion.

A pupil may not be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance occurring within a school under the jurisdiction of the Chief Executive Officer or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in the section and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.
- During, or while going to or coming from, a school sponsored activity.

Grounds for Suspension and Expulsion

The following information is provided in order to provide uniformity within Aspire in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion and require police notification for the grade levels indicated:

- **Physical Injury:** Caused, attempted to cause, or threatened to cause physical injury to another person (Ed. Code 48900(a)(1)) or willfully used force or violence upon the person of another, except in self-defense. (Ed. Code 48900(a)(2)) Notification to police required for students in grades K-12.

- **Weapons, Explosives, Dangerous Objects:** Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (Ed.Code 48900(b)) Notification to police required for students in grades K-12.

- **Controlled Substances/Alcohol:** Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (Ed.Code 48900(c)) Notification to police required for students in grades K-12.

- **Substances in Lieu of Controlled Substances:** Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (Ed.Code 48900(d)) Notification to police required for students in grades K-12.

- **Robbery or Extortion:** Committed or attempted to commit robbery or extortion. (Ed.Code 48900(e)) Notification to police required for students in grades K-12.

- **Damage to Property:** Caused or attempted to cause damage to school property or private property. (Ed. Code 48900(f)) Notification to police required for students in grades K-12.

- **Theft of Property:** Stole or attempted to steal school property or private property. (Ed. Code 48900(g)) Notification to police required for students in grades 4-12.

- **Tobacco:** Possessed or used tobacco, or any product containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products. (Ed.Code 48900(h))

- **Obscenity/Profanity:** Committed an obscene act or engaged in habitual profanity or vulgarity. (Ed.Code 48900(i))
- **Drug Paraphernalia:** Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Ed.Code 48900(j)) Notification to police required for students in grades K-12.

- **Disruption/Defiance:** Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties. (Ed.Code 48900(k)) Notification to police required for students in grades K-12.

- **Received Stolen Property:** Knowingly received stolen school property or private property. (Ed.Code 48900(l)) Notification to police required for students in grades 4-12.

- **Imitation Firearm:** Possessed an imitation firearm. (Ed. Code 48900(m)) Notification to police required for students in grades 4-12.

- **Definition of Imitation Firearm:** A replica of a firearm that is so substantially similar in physical properties to an existing firearm to lead a reasonable person to conclude that the replica is a firearm. (Ed.Code 48900(m))

- **Sexual Assault/Sexual Battery:** Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (Ed.Code 48900(n)) Notification to police required for students in grades 4-12.

- **Definition of Sexual Assault:** Includes rape, various types of sexual abuse, and lewd and lascivious conduct. (Penal Code 261, 266c, 286, 288, 288a, 289.)

- **Definition of Sexual Battery:** The touching of an intimate part of another person, if the touching is against the will of the person touched, and for the specific purpose of sexual arousal, sexual gratification, or sexual abuse. (Penal Code 243.4.)

- **Harassment of Witness:** Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (Ed.Code 48900(o))

- **Sexual Harassment:** Committed sexual harassment. (Ed.Code 48900.2)

- **Definition of Sexual Harassment:** An act which, upon review of a reasonable person of the same gender as the victim, is determined to be sufficiently severe or pervasive so as to cause negative impact on one’s academic performance or to create an intimidating, hostile or offensive educational environment. Notification to police required for students in grades 4-12.

- **Limitation:** Sexual harassment must be unwelcomed by the recipient in order to constitute a violation of Education Code 48900.2.

- **Limitation:** Only students in grades 4-12 are subject to suspension for sexual harassment.

- **Hate Violence:** Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. (Ed.Code 48900.3) Notification to police required for students in grades K-12.

- **Definition of Hate Violence:** The use of force or threat of force to intimidate a person in the exercise of a constitutional or statutory right, or damage or destruction of property for the purpose of intimidating or interfering with a person because of that individual’s “race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.”

- **Intentional Harassment:** Created a hostile educational environment (Ed.Code 48900.4)

- **Definition of Intentional Harassment:** Engaging in harassment, threats or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting a classroom, creating substantial disorder, and invading the rights of the students or group of students by creating an intimidating or hostile educational environment.

- **Terrorist Threats Against School Officials and/or Property:** Committed a terroristic threat against school officials, school property or both (Ed.Code 48900.7)

  - **Definition of Terrorist Threat:** Includes any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in:
- death
- great bodily injury to another person, or
- property damage in excess of one thousand dollars ($1,000.00),
- with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for:
- his or her own safety,
- his or her immediate family’s safety,
- the protection of school property, and/or
- the personal property of the person threatened or of his or her immediate family.

- **Electronic Signaling Device:** Possessed electronic signaling device, including cell phones and pagers while on school grounds while attending school sponsored activities or while under the supervision and control of school employees (Ed. Code 48901.5)

- **Hazing:** Engaged in hazing activities or any act that causes or is likely to cause personal humiliation or disgrace (Ed.Code 32050-32052)

- **Vandalism/Malicious Mischief:** Defaced, damaged or destroyed any school property including, books, supplies of all kinds, equipment, buildings and grounds.

- **Note:** Parents can be held financially liable for damages up to $10,000 and shall also be liable for the amount of any reward not exceeding $10,000 pursuant to Section 53069.5 of the Government Code (Ed.Code 48904).

See complete Suspension/Expulsion Policy and Procedures for steps taken in cases requiring suspension and appeals process.

**Expulsion**

Expulsion is the involuntary removal of a student from all schools and programs of Aspire for an extended period of time for acts of specified misconduct. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student’s presence causes a continuing danger to other students. Final action is only taken by vote of the Aspire Board of Directors – Executive Committee (“Aspire Executive Committee”).

In the event that a student is recommended for expulsion from Aspire, he or she is entitled to a hearing and, among other things, advance written notice of the rights and responsibilities enumerated in Education Code section 48918. Written notice of these due process rights shall be provided at least 10 days in advance of the date set for the hearing. (Ed. Code 48918)

Expulsion proceedings for a currently identified student require additional due process procedures. Aspire will follow all due process procedures for Special Education students included in this document and in the Education Code.

While under expulsion, a student cannot enroll in another California school district without approval of that district’s Board of Education. Certain expelled students may enroll only in Juvenile Court Schools, County Community Schools, or District operated Community Day Schools (AB922) during the duration of the expulsion.

The Aspire Executive Committee, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension o
enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil’s parent or guardian in his or her child’s education in ways that are specified in the rehabilitation program. A parent or guardian’s refusal to participate in the rehabilitation program shall not be considered in the Aspire Executive Committee’s determination as to whether the pupil has satisfactorily completed the rehabilitation program. (Ed. Code 48917)

Expellable Offenses:

C. Category I – Mandatory Expulsion
Under the mandatory provisions of Education Code 48915(c), a student who has committed one or more of the following acts must be recommended for expulsion and the Aspire Executive Committee must expel the student.
- Possessing, selling or otherwise furnishing a firearm when an Aspire employee verified firearm possession,
- Brandishing a knife at another person,
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, or
- Committing or attempting to commit a sexual assault or committing sexual battery

D. Category II – Mandatory Recommendation for Expulsion
Under the mandatory provision of Education Code 48915(a), a student who has committed one of the following acts of misconduct must be recommended for expulsion unless particular circumstances render it inappropriate.
- Causing serious physical injury to another person, except in self-defense;
- Possession of any knife, explosive, or other dangerous object of no reasonable use to the student;
- Unlawful possession of any controlled substance listed in Chapter 2 (Commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;
- Robbery or extortion;
- Assault or battery upon a school employee.

E. Category III – Expulsion May Be Recommended
In accordance with Education Code 48915 and by direction of the California Board of Education, a student may be considered for expulsion for committing any act not listed in Category I or II and enumerated in Education Code sections 48900, 48900.2, 48900.3, 48900.4, or 48900.7.

Note: The Aspire Executive Committee’s decision to expel a student for violations included in Categories II and III must be based on a finding of one or both of the following:
1. Other means of correction are not feasible or have repeatedly failed to bring about the proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. (Ed. Code 48915(b) and 48915(e).)

Note: If the Discipline Review Board chooses not to recommend the expulsion of the student, Aspire may, at its discretion, impose a lesser form of disciplinary action which may include assigning the student to another school or program.
See complete Suspension/Expulsion Policy and Procedures for procedures in cases involving expulsion, requiring the extension of suspension and/or expulsion, and the appeals process.

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Aspire Public Schools ("Aspire") is committed to providing a cooperative and comfortable work and education environment free of discrimination and harassment of any kind. Accordingly, Aspire forbids discrimination against any employee, applicant for employment, or student, on the basis of sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability. Aspire will not tolerate discrimination or harassment activity by any of its employees, non-employee volunteers, or any other person subject to the control of school authorities. Furthermore, all programs and activities at Aspire shall be free from discrimination and harassment with respect to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability.

This policy is intended to be consistent with, and intended to be, enforced in conformity with the California Fair Employment and Housing Act and Title VII of the Civil Rights Act of 1964, which prohibits harassment in the workplace, as well as multiple sections of the Education Code.

Students

All students shall have equal opportunities in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral and cheerleading groups shall be determined solely on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Aspire schools may provide girls and boys with separate shower rooms and sex education classes in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards should be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in Aspire. Staff shall be alert and immediately responsive to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed or discriminated against should immediately contact the principal or designee. The student and/or parent may file a complaint verbally or in writing under Aspire's "Discrimination/Harassment Student/Parent Complaint Procedure." Upon receipt of a harassment complaint the Chief Executive Officer or designee will be notified. Complaints of harassment will be investigated immediately according to the procedures set forth in Aspire's "Discrimination/Harassment Student/Parent Complaint Procedure."
Aspire's "Anti-Discrimination and Anti-Harassment Policy" and the "Discrimination/Harassment Student/Parent Complaint Procedure" will be reviewed with students at the beginning of each school year, either in the classroom or in student assemblies.

At the start of each school year, this policy will be mailed to parents/guardians.

**Employees – Sexual Harassment**

Aspire forbids discrimination against any employee, applicant for employment, or student, on the basis of sex. Aspire will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers or any other person subject to the control of school authorities.

A. Definitions

1. Conduct of a Sexual Nature - Conduct of a sexual nature may include, but is not limited to, verbal, visual or physical sexual advances, including subtle pressure for sexual activity; touching, staring, looking up and down, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; sexually-oriented "kidding," "teasing," double-entendres, explicit or suggestive messages, cartoons, pictures and jokes, and any harassing conduct to which an employee would not be subjected but for such employee's sex.

   a. Verbal, visual or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.
   b. An employee who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.
   c. Aspire prohibits any conduct of a sexual nature directed toward students by teachers or others to whom this policy applies, and shall presume that any such conduct is unwelcome.

B. Sexual Harassment Prohibited

1. For the purposes of this policy, unwelcome sexual advances or requests for sexual favors, and other unwelcome conduct of a sexual nature, constitute prohibited sexual harassment if:
   a. Submission to the conduct is made either an explicit or implicit condition of employment (as an illustration, and not as a limitation, where a person's continued employment is conditioned upon or impacted by prohibited sexual-based factors);
   b. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; and
   c. The conduct substantially interferes with an employee's or student's performance, or creates an intimidating, hostile, or offensive work or school environment, regardless of whether the employee's continued employment or compensation is affected.

2. Specific Prohibitions—Administrators and Supervisors.
   a. It is sexual harassment for a manager or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit
will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

(b) Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.

(3) Specific Prohibitions--Non-managerial and Non-supervisory Employees: It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.

(4) Specific Prohibitions--Employees and Students: It is sexual harassment for an employee to subject a student to any conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions.

C. Reporting, Investigation, and Sanctions

(1) It is the express policy of Aspire to encourage victims of sexual harassment to report such claims. Aspire understands that victims of harassment are often embarrassed and reluctant to report acts of harassment for fear of being blamed, concern about being retaliated against, or because it is difficult to discuss sexual matters openly with others. However, no employee of Aspire should have to endure harassing conduct, and therefore the School encourages everyone to promptly report any incidents of harassment so that corrective action can be taken.

(a) Employees who feel that their superiors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator. If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of authority.

(b) Employees are also urged to report any unwelcome conduct of a sexual nature by superiors or fellow employees if such conduct interferes with the individual's work performance, or creates a hostile or offensive working environment.

(c) Students are urged to report any conduct of a sexual nature by school employees or others to whom this policy applies to a school counselor or administrator.

(2) Every reported complaint of harassment will be investigated promptly and thoroughly by Aspire. Typically the investigation will include interviewing the complainant, anyone who may have knowledge of the alleged harassment, and the alleged harasser. Once the investigation is completed, Aspire will notify the complainant of the results of the investigation. Aspire will make every effort to handle the investigation in as confidential a manner as possible consistent with a thorough, fair and proper investigation. Aspire will not tolerate reprisals or retaliation against anyone as a result of the good-faith reporting of charges of sexual harassment.

(3) In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred have to be investigated.

(4) Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination. Conduct of a sexual nature directed toward students shall be reported as child abuse for investigation by appropriate law enforcement and/or other authorities.

D. Filing Complaints with State and Federal Agencies

In addition to notifying Aspire of harassment or retaliation, aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including the United States Equal
Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH), which have authority to conduct investigations of facts. Aggrieved parties are advised that statutory deadlines apply for the tender of complaint to either the EEOC and/or the DFEH and that if complaints are not timely filed they may be barred by law. If the EEOC and/or the DFEH believe that a complaint is valid and settlement efforts fail, aggrieved parties may seek an administrative hearing. Aggrieved parties may also be entitled to file a lawsuit in Federal or state court. Administrative agencies and the courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest EEOC or DFEH office at the locations listed on Aspire’s employment law poster or by checking the state government listings in the local telephone directory.

Employees – All Other Kinds of Discrimination or Harassment
Prohibited harassment on the basis of race, ethnic group, color, national origin, ancestry, religion, physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or any other protected basis, includes behavior similar to sexual harassment, such as:
- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

Complaint Procedure
Aspire’s complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit.

Employees who believe they have been harassed on the job, or who become aware of the harassment of others are encouraged to inform the offender that this behavior is unwelcome. They should also immediately provide a written or verbal complaint to your supervisor, manager, Human Resources, or any other member of management as soon as possible. The complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.).

All incidents of prohibited harassment that are reported will be investigated. Aspire will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser(s).

If Aspire determines that prohibited harassment or other conduct that violates an Aspire policy has occurred, the organization will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken. Whatever action is taken against the wrongdoer will be communicated to the employee who complained. Applicable law prohibits retaliation against any employee who complains of prohibited harassment or who participates in an investigation.
Liability for Harassment
Any employee of Aspire, whether an employee, supervisor, or manager who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including immediate discharge from employment. Any employee who engages in prohibited harassment, including any supervisor or manager who knew about the harassment but took no action to stop it, may be held personally liable for monetary damages. Aspire does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one’s duties. Accordingly, to the extent permitted by law, Aspire reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

PREVENTION OF CHILD ABUSE POLICY
Aspire is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

Reporting Suspected Abuse/Neglect
While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children’s Protective Services, Aspire’s child care custodians (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care custodian of Aspire must sign a “Child Abuse Reporting” form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

See complete Prevention of Child Abuse Policy and Procedure for specific steps regarding the reporting of suspected abuse and neglect.

Reporting Problems at the School Site
Aspire maintains zero tolerance for abuse. Every member of any Aspire community must participate actively in the protection of its students.

All Aspire schools will monitor the school buildings and grounds:
- All unused rooms, storage areas, and closet doors should be kept locked at all times;
- all unused buildings and areas must be designated, posted and enforced as off-limits to children;
- all students are required to remain in areas that are easily viewed by employees;
- Interior doors should be left open and unlocked when rooms are in use
- Blinds should be left open to allow informal monitoring by a passerby.

In the event that any current or future Aspire employee observes any suspicious or inappropriate behaviors on the part of any third party or other employee while on any Aspire premises, he or she is required to immediately report their observations to the principal or designee. Examples of suspicious or inappropriate behaviors include, but are not limited to:
- policy violations,
- neglectful supervision,
- “private time” with students,
- taking students off premises without adhering to procedures,
- buying unusual gifts for children and youth,
- swearing or making suggestive comments to students,
• or any other conduct as identified in this policy, or which is inappropriate or illegal in the eyes of the observer.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The principal or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution.

Aspire will cooperate with any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

**Employee Conduct With Students**

All Aspire employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all Aspire employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

**Alcohol, Tobacco, and Controlled Substances**

All Aspire employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

**Transportation of Students**

Aspire employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;

b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;

c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;

d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;

e) Drivers who are assigned to transport students must be at least 21 years old and must abide by standards related to insurance and other legal requirements;

f) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and

g) Whenever possible, two Aspire employees should collectively engage in the transportation activity.
Language
Employees will not speak to students in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees are to refrain from swearing in the presence of students. Employees are cautioned against initiating sexually oriented conversations with students, except in the context of Aspire’s health education or advisory curriculum. Employees are not permitted to discuss their own sexual activities with students.

Gifts
Money will not be given to students. Gifts will not be given to individual students, except as an award related to a previously announced academic competition; or as a group award given to all participants in celebration of classroom or school accomplishment or special event.

Attire
Employees must be appropriately and professionally dressed in presence of students. Each school may adopt its own dress code for employees and employees will be expected to follow that code.

Behavior
One-to-one counseling with students will be done in a public place insofar as possible, where private conversations are possible but occur in full view of others.

Employees will refrain from intimate displays of affection towards others in the presence of students, parents, and other personnel.

Employees are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc) on school grounds or in the presence of students.

Physical contact with students
Some forms of physical contact between adults and children are appropriate and that other forms are inappropriate, illegal, or have been used by adults to initiate inappropriate or illegal contact with children.

Appropriate physical contact between employees and students include, but are not limited to:
- Handshakes;
- “High Fives” or hand slapping;
- briefly touching tops of heads, shoulders or upper back in acknowledgement, congratulation or consolation;
- brief sideways hugs; and
- holding hands while walking with small children.

Inappropriate physical contact between employees and students include, but are not limited to:
- full body hugs or lengthy embraces;
- kisses;
- holding small children on the lap;
- touching bottoms, chests, knees, legs, and/or genital areas;
- showing affection in isolated or private areas;
- sleeping with a student;
- wrestling with students;
- tickling students;
- piggyback rides;
- any type of massage;
- any form of unwanted affection; and/or
- any compliments that relate to physique or body development.

All Aspire employees are prohibited from using physical punishment in any way for behavior management of students. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting or any other physical force as retaliation or correction for inappropriate behaviors by students. Other prohibitions include, but are not limited to,

- isolation except as needed for the child to gain self-control (and then only under the supervision of an adult, and no longer than 15 minutes),
- withholding food or water,
- degrading punishment,
- work assignments unrelated to a natural or logical consequence,
- excessive exercise,
- withholding access to contact with parents or guardians,
- withholding or using medications for punishment,
- mechanical restraint such as rope or tape to restrict movement, or
- any type of physical restraint.
APPENDIX K

Evidence of Insurance Coverage
# APPENDIX K
## EVIDENCE OF COVERAGE BOUND

### POLICY TERM

**Effective Date:**
July 1, 2013 12:01 am

**Expiration Date:**
July 1, 2014 12:01 am

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### COVERAGE PROVIDED BY

- **Coverage Provider A:** California Charter Schools JPA
- **Coverage Provider B:** Travelers Insurance Company
- **Coverage Provider C:** Safety National Casualty Corporation
- **Coverage Provider D:** Scottsdale Insurance Company
- **Coverage Provider E:** Lloyd's of London
- **Coverage Provider F:** Arch Insurance Company
- **Coverage Provider G:** Lexington Insurance Company

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### COVERAGE DETAILS

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**Named Insured:**
Aspire Public Schools
1001 22nd Avenue
Oakland, CA 94606
INSURED SCHOOLS AND LOCATIONS

Aspire Public Schools
1001 22nd Avenue
Oakland, CA 94606
1001 22nd Avenue, Oakland, CA 94606
Aspire 66th Avenue Project
1009 66th Avenue
Oakland, CA 94608
1009 66th Avenue, Oakland, CA 94608

Aspire Alexander Twilight College Preparatory Academy
2360 El Camino Avenue
Sacramento, CA 95281
2360 El Camino Avenue, Sacramento, CA 95281

Aspire Alexander Twilight Secondary Academy
2360 El Camino Avenue
Sacramento, CA 95281
2360 El Camino Avenue, Sacramento, CA 95281

Aspire Antonio Maria Lugo Academy
2865 Clarendon
Huntington Park, CA 90255
2865 Clarendon, Huntington Park, CA 90255

Aspire APEX Academy
444 N. American St
Stockton, CA 95202
444 N. American St, Stockton, CA 95202

Aspire Benjamin Holt College Preparatory Academy
3293 East Morada Lane
Stockton, CA 95212
3293 East Morada Lane, Stockton, CA 95212

Aspire Berkeley Maynard Academy
6200 San Pablo Avenue
Oakland, CA 94608
6200 San Pablo Avenue, Oakland, CA 94608

Aspire California College Preparatory Academy
2125 Jefferson Avenue
Berkeley, CA 94703
2125 Jefferson Avenue, Berkeley, CA 94703

Aspire Capitol Heights Academy
2520 33rd Street
Sacramento, CA 95817
2520 33rd Street, Sacramento, CA 95817

Aspire Centennial College Preparatory Academy
2079 Saturn Avenue
Huntington Park, CA 90255
2071 Saturn Avenue, Huntington Park, CA 90255

Aspire Clarendon Elementary School
6720 S. Alameda Street
Huntington Park, CA 90255
6720 S. Alameda Street, Huntington Park, CA 90255

Aspire College Academy
8030 Atherton Street
Oakland, CA 94605
8030 Atherton Street, Oakland, CA 94605
Aspire Downtown Stockton Preparatory Academy
444 N. American
Stockton, CA 95202
444 N. American, Stockton, CA 95202

Aspire East Palo Alto Charter School
1286 Runnymede Street
East Palo Alto, CA 94303
1286 Runnymede Street, East Palo Alto, CA 94303

Aspire East Palo Alto Phoenix Academy
1039 Garden Street
Palo Alto, CA 94303
1039 Garden Street, Palo Alto, CA 94303

Aspire ERES Academy
1936 Courtland Avenue
Oakland, CA 94601
1936 Courtland Avenue, Oakland, CA 94601

Aspire Firestone Academy
8929 Kauffman Avenue
South Gate, CA 90280
8929 Kauffman Avenue, South Gate, CA 90280

Aspire Gateway Academy
8929 Kauffman Avenue
South Gate, CA 90280
8929 Kauffman Avenue, South Gate, CA 90280

Aspire Golden State College Preparatory Academy
1009 66th Avenue
Oakland, CA 94621
1009 66th Avenue, Oakland, CA 94621

Aspire Huntington Park Charter School
6005 Stafford Avenue
Huntington Park, CA 90255
6005 Stafford Avenue, Huntington Park, CA 90255

Aspire Inskeep Academy
123 W. 59th Street
Los Angeles, CA 90003
123 W. 59th Street, Los Angeles, CA 90003

Aspire Junior Collegiate Academy
6720 S. Alameda Street
Huntington Park, CA 90255
6720 S. Alameda Street, Huntington Park, CA 90255

Aspire Langston Hughes Academy
2050 West Lane
Stockton, CA 95205
2050 West Lane, Stockton, CA 95205

Aspire Lionel Wilson College Preparatory Academy
400 105th Avenue
Oakland, CA 94603
400 105th Avenue, Oakland, CA 94603
Aspire Millsmont Academy
3200 62nd Avenue
Oakland, CA 94605-1614
3200 62nd Avenue, Oakland, CA 94605-1614

Aspire Monarch Academy
1445 101st Avenue
Oakland, CA 94603
1445 101st Avenue, Oakland, CA 94603

Aspire Pacific Academy
2565 58th Street
Huntington Park, CA 90255
2565 58th Street, Huntington Park, CA 90255

Aspire Port City Academy
2040 West Lane
Stockton, CA 95205
2040 West Lane, Stockton, CA 95205

Aspire Ollin Academy
2540 East 58th Street
Huntington Park, CA 90255
2540 East 58th Street, Huntington Park, CA 90255

Aspire River Oaks Charter School
1801 Pyrenees Avenue
Stockton, CA 95210
1801 Pyrenees Avenue, Stockton, CA 95210

Aspire Rosa Parks Academy
1930 South D. Street
Stockton, CA 95206
1930 South D. Street, Stockton, CA 95206

Aspire Slauson Academy
123 W. 59th Street
Los Angeles, CA 90003
123 W. 59th Street, Los Angeles, CA 90003

Aspire Summit Charter Academy
2036 E. Hatch Road
Modesto, CA 95351
2036 E. Hatch Road, Modesto, CA 95351

Aspire Tate Academy
123 W. 59th Street
Los Angeles, CA 90003
123 W. 59th Street, Los Angeles, CA 90003

Aspire Titan Academy
6724 South Alameda Street
Huntington Park, CA 90255
6724 South Alameda Street, Huntington Park, CA 90255

Aspire University Charter School
3313 Coffee Road
Modesto, CA 95355
3313 Coffee Road, Modesto, CA 95355
Aspire Vanguard College Preparatory Academy
5255 First Street
Empire, CA 95319
5255 First Street, Empire, CA 95319

Aspire Vincent Shalvey Academy
10038 Hwy 99 E. Frontage Road
Stockton, CA 95212
10038 Hwy 99 E. Frontage Road, Stockton, CA 95212

SCHEDULE OF VEHICLES

None Reported

TOTAL VEHICLE VALUES: $0
APPENDIX L

Instructional Guidelines (Pacing Guides)

Included in original submission.
Aspire Ollin University Preparatory Academy

Addendum of Proposed Changes to Renewal Petition for LACOE Appeal Submission
Assurances and Affirmations

On pg. 5, proposed change of the Lead Petitioner for Aspire Ollin University Preparatory Academy ("Ollin") to Kate Ford, Los Angeles Area Superintendent, for the purposes of the appeal submission to Los Angeles County of Education ("LACOE")

At the time of submission of the renewal petition to Los Angeles Unified School District ("LAUSD"), Elise Darwish, Aspire Public Schools’ ("Aspire") Chief Academic Officer, was serving as Interim Los Angeles Area Superintendent and thus was named Lead Petitioner. Kate Ford has since taken over as Aspire’s Los Angeles Area Superintendent and thus she will serve as Lead Petitioner for the LACOE submission. Kate Ford’s resume can be found in Appendix A of this Addendum.

Kate Ford is based at the Aspire Los Angeles Regional Office, located at Aspire Centennial College Preparatory Academy in Huntington Park. Naming Kate Ford as Lead Petitioner will be mutually beneficial to both Aspire and LACOE because of her proximity and accessibility to the LACOE office.

Element 3: Method by which Pupil Progress Toward Outcomes will be Measured

In order to ensure that the renewal petition contains all required language pertaining to LCFF and LCAP, it is necessary to add the below language. Please note that though several of our authors have recently required the addition of this language to our charter petitions, LAUSD did NOT require the language during AMLA’s renewal process.

*Beginning on pg. 47, insert changes to EC 47606.5 (Accountability – Annual Reporting):*

“(a) On or before July 1, 2015, and each year thereafter, a charter school shall update the goals and annual actions to achieve those goals identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6. The annual update shall be developed using the template adopted pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the charter, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes to the specific actions the charter school will make as a result of the review and assessment.
(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1).

(b) The expenditures identified in subdivision (a) shall be classified using the California School Accounting Manual pursuant to Section 41010.

(c) For purposes of the review required by subdivision (a), a governing body of a charter school may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) or paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(d) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on a school accountability report card.

(e) The charter school shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.”

Also insert changes to EC 47607.3 (Accountability – Revocation):

“If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school’s pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:

(1) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the chartering authority shall provide technical assistance to the charter school.

(2) The Superintendent may assign, at the request of the chartering authority and with the approval of the state board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Section 52074.

(b) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (a) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.
(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(c) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school as the most important factor in determining whether to revoke the charter.

(d) A chartering authority shall comply with the hearing process described in subdivision (e) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.”

**Element 9: Annual Financial Audits**

On pg. 88, it is necessary to change the financial reporting deadlines to match the schedule outlined in Section 3.4 (Revenue and Expenditure Reporting) of LACOE’s MOU:

- Preliminary budget on or before July 1
- First Interim Report (expenditures through 10/31) on or before December 15
- Second Interim Report (expenditures through 1/31) on or before March 15
- Unaudited Actuals Report for the prior fiscal year on or before September 15

**Additional Appendix Items**

The below narrative and appendix provides additional information and clarification and does NOT require changes to the charter petition.

*Lease and Certificate of Occupancy*

In Section VII of the LACOE submission package you will find the DSA Form 6 for Ollin’s new building, in which Ollin began operations in the fall of 2013. The construction of the facility was funded by State funds. We are not required to obtain a Certificate of Occupancy in this case, and thus have provided the DSA Form 6, which is the State equivalent of this documentation. Aspire owns the building and thus there is no lease agreement.

*Governance*

For clarification of how governance operates at Aspire as a multi-state organization, we have included a one-page document that summarizes the roles of the Board of Directors
and Senior Leadership Team. The summary also outlines public and parent engagement opportunities. This document is included as Appendix B of this Addendum.

*Student and Employee Handbooks*

Aspire has included the below two items in the Appendix because of reference to these documents as requirements of renewal petitions on Page 20 of LACOE’s AR 0420.4 (Charter Schools):

- Aspire Public Schools 2013-14 Student Family Handbook
- Aspire Public Schools Employee Handbook

The two handbooks are included as Appendix C and D of this Addendum respectively.
APPENDIX

A. Lead Petitioner Resume
B. Governance Summary
C. Student Family Handbook
D. Employee Handbook
APPENDIX A

Lead Petitioner Resume
Kate Ford

4241 Redwood Avenue #2311
Los Angeles, CA 90066

323-559-3339
kate.ford@aspirepublicschools.org

—The determination to succeed, the passion to inspire, and the expertise to lead—

Kate thrives as a leader in an educational environment that demands uncompromising values and is marked by a strong record of achievement.

Career Highlights:

- 20+ years as successful school leader, with outstanding results and accomplishments
- Extensive leadership experience in private, charter, and public schools
- Admiration and respect as an administrator and educator
- Fiscal and fiduciary expertise and responsibility
- Strong coaching and active listening skills
- Strong program management and strategic thinking skills
- Ability to work with a variety of local, state, and federal entities and grantees
- Excellent written and oral communication skills
- 13 years teaching experience in English, literature, and theatre arts
- Exemplary human relations skills and Spanish proficiency
- Effective use and support of technology

EDUCATION AND CREDENTIALS

Master of Arts: Curriculum and Instruction, Chapman University, 1988
Bachelor of Arts: Sociology, University of California, Santa Cruz, 1973
Diploma, Santa Barbara High School, 1969

Tier II CA Administrative Credential, University of Santa Clara, 1997
CA Administrative Credential, Chapman University, 1988
Lifetime Secondary Credential, CA: Social Sciences, 1974
Teacher Corps Certification, University of California, Santa Cruz, 1974

PROFESSIONAL LEADERSHIP EXPERIENCE

1/2014 – Present
Superintendent, Los Angeles Area
Aspire Public Schools
www.aspirepublicschools.org

- Oversees the performance and fiscal management of 12 charter schools located in the South LA, Huntington Park, and South Gate areas of Los Angeles
- Supports and evaluates twelve principals, as well as five other regional staff
- Cultivates strong relationships and communication with CDE, CCSA, LACOE, and LAUSD, in order to ensure compliance with all expectations and requirements
- Participates as a key member of the Aspire Senior Leadership Team
7/2011 – Present  Senior Program Officer
Bill and Melinda Gates Foundation  www.gatesfoundation.org

- Oversees the performance management and funding of a complex grant portfolio.
- Supports key partner charter management organizations, state departments, and other emerging work related to spreading lessons and cross-team collaboration.
- Cultivates strong relationships with state, district, and CMO leaders across a diverse, national grant portfolio.
- Provides clear, concise and insightful written analyses and recommendations for funding including drafting and editing proposal summaries and progress reports for existing grants for review by Foundation leadership.

8/2006 – 6/2011  Executive Director and Principal
Peabody Charter School, Santa Barbara, CA  www.peabodycharter.org

- Led Peabody Charter School to becoming a 2010 California Distinguished School, one of only eight elementary charter schools in the state.
- Created Preserve the Peabody Experience fundraising drive to offset the economic downturn and budget crisis. Raised $210K in 2010.
- Manages a K-6 school of 750 students, over 80 staff members, and a $5.5 million budget.
- Works closely with an autonomous school board made up of parents, community members, and certificated and classified employees.
- Provides guidance to other charter administrators and principals interested in charter conversion.
- Led Peabody Charter School to independence from Santa Barbara School District, which included revising the school charter, working with district and school officials to write and negotiate a new Memo of Understanding and Facility Use Agreement, achieving 501c3 nonprofit status, and establishing two employee bargaining units.
- Ensured stability and cohesiveness of staff and school community during transition and challenging economic times.

8/2001 – 7/2006  Executive Director and Principal
The Summit School of Ahwatukee, Phoenix, AZ  www.summitschoolaz.org

- Founding principal for this school: created policies, instructional program, curricular documents, handbooks, professional development, financial procedures, and marketing strategies.
- Increased enrollment from 75 to 360+ students in four years, from K-4 to K-8 school.
- Was instrumental in staffing, curricular revisions, and adherence to standards that led to school-wide SAT9 scores in the 80-95 percentile range.
- Shared responsibility for the creation of a three year technology plan and a fundraising program “Brick by Brick, the Road to the Future” to fund it.
• In 2004, implemented and staffed the middle school for grades 5-8, including curriculum, sports, social events, special competitions, service programs, and spring trips.
• Supervised staff and faculty of 60.
• After moving to Peabody Charter, served for three years as member of the Summit Board of Trustees.

**8/1999 - 7/2001**  
**Regional Vice President (Western Division)**  
**Advantage Schools (a Charter for Profit Corporation), Boston, MA**

• Supervised five school directors and monitored all school operations, and represented Advantage Schools to each Board of Trustees in Phoenix, AZ, and San Antonio, Houston, Dallas, and Midland, Texas.
• Represented Advantage Charter Schools, Inc. in various community and state events, including testifying before the Congressional Sub Committee on Charter Schools in Washington, D.C.
• Assisted in the application, development, and approval of a new charter school in New Orleans, Louisiana.
• Oversaw all local Phoenix Advantage School operations for student body of 900 and administrative staff of seven with the management company located in Boston, MA.
• Supervised staff and faculty of 65.

**8/1993 - 7/1999**  
**Principal, Castro Middle School (grades 6, 7, and 8)**  
**Moreland School District, San Jose, CA**

• Provided team leadership and wrote the final application when Castro was named a California Distinguished School in 1997.
• Increased student enrollment by over 35%.
• Created and implemented scheduling and staffing to provide a seven period day, integrated instruction, block scheduling (language arts/social studies and math/science), and increased opportunities for exploratory/elective programs.
• Achieved 25% improvement in SAT9 scores.
• Generated public support which led to the complete turn-around in the community perception of the school.
• Was instrumental in the design and implementation of R.O.P.E.s, the Rite of Passage Experiences for eighth graders- culminating research, writing, and presentation individual projects required for promotion to ninth grade.
• Oversaw a $7 million campus building renovation project while school was in session.
• Implemented programs to increase student motivation and fun such as the Principal’s Opinion Poll (P.O.P.), Odyssey of the Mind, spelling bees, and weekly trivia contests.

**8/1989 - 7/1993**  
**Principal and Vice Principal**  
**Morada Middle School, Lodi Unified School District, Stockton, CA**
• Constructed and implemented year-round 3-track staffing and schedule for middle school of over 600 students.
• Wrote and presented workshops in middle school writing instruction.
• Oversaw and expanded a professional support and learning program for 15 new teachers called New Teacher Project.
• Created a Saturday School to teach and reinforce the Vietnamese language and culture.
• Improved school safety and discipline by revising procedures and ensuring consistent application of handbook rules, district policy and state law.

PROFESSIONAL TEACHING EXPERIENCE

1986 - 1989  Teacher of language arts and reading, grade 8
Tenaya Middle School (public grades 6-8), Merced City School District, Merced, CA

• Also coordinated and directed school talent shows, was a district leader in writing instruction, and taught first aid and family life to eighth graders.

1982 - 1986  Teacher of English and drama, grades 5-11
Laguna Blanca School (private K-12), Santa Barbara, CA

• Also directed all school theatrical productions (3 per year), was advisor for school newspaper, took high school students on spring trips to New York and London, wrote press releases for school activities and accomplishments; assisted administration with special projects such as an evening film series, orientation/hosting of new teachers, and the school’s first scholarship program to increase ethnic and cultural diversity.

1979 - 1981  Teacher of English, Spanish, and music, grades 2-8
Marymount Academy (private K-8), Santa Barbara, CA

• Also directed all theatrical productions, talent shows, and middle school social activities, including theatre field trip program.

1974 - 1978  Teacher of language arts, grades 9 and 11
Merced High School (public 9-12), Merced Union High School District, Merced, CA

• Chosen to spend one year as part of three person team to create a bilingual program for the district (funded by federal grant)

AWARDS AND RECOGNITION

2014- Received the “Giraffe Award” (for innovation and risk taking as a senior program officer) from Vicki Phillips, Director of College Ready Programs, Bill and Melinda Gates Foundation
2009- Recognized as “Santa Barbara Business Leader.”
2006- Elected to the Summit School Board of Trustees as an emeritus member.
2001- Represented Advantage Schools and made a charter school presentation before a Congressional Education Committee Hearing, Washington, DC.
1999- Outstanding Educator Award, Moreland School District (Third recipient to be recognized in 50 years)
1976- Outstanding Educator Award, Merced Union High School District (Was awarded a trip to USAF Strategic Air Command Headquarters in Omaha, Nebraska)

REFERENCES

Dr. Don Shalvey, Deputy Director, Bill and Melinda Gates Foundation and CEO and Founder of Aspire Public Schools
Mr. Irvin Scott, Deputy Director, Bill and Melinda Gates Foundation
Dr. Glenn Miller, Chair of the Peabody Board of Directors, Santa Barbara, CA.
Dr. William Andrew, Chair of Board of Trustees, Summit School of Ahwatukee
Mr. Steven Wilson, Founder/CEO of Advantage Charter Schools, Boston, MA
Mr. Geoff Swett, former CFO of Advantage Schools, Boston, MA
Mr. Arthur Merovick, former Headmaster of Laguna Blanca School, Santa Barbara, CA

---Contact information available on request---

“I know the price of success: dedication, hard work, and an unremitting devotion to the things you want to see happen.” Frank Lloyd Wright
APPENDIX B

Governance Summary
Roles of the Board of Directors and Senior Leadership Team:
Aspire has a single Board of Directors, whose primary role is to assess the health of the organization and understand external issues that impact our mission in order to identify risks and advise on how to mitigate those risks. Aspire’s Senior Leadership Team (SLT), comprised of the CEO, CAO, CFO, Chief People Officer (CPO), VP of Finance, VP of Operations, VP of Advancement, California Area Superintendents (3), and Memphis Executive Director, drive the strategies and priorities of the organization and have the authority to make and approve many programmatic, operational and financial decisions. Long-term and far-reaching strategic topics and policies, typically recommended by the SLT, are brought to the Board to seek guidance, input and approval. The Board also reviews and approves items that require full Board approval, such as acceptance and use of certain federal and state grants. Every quarter, the Board receives an update on our financial position, progress towards stated annual and 3-5 year goals, and large initiatives being undertaken. The Board meetings occur at least 5 times per year and are subject to the Brown Act.

The Board has delegated limited approval authority to an Executive Committee, currently consisting of 3 Board members, that handles all school-related matters, such as expulsions, contracts and MOUs for schools, and charter petitions and renewals. The Executive Committee meets almost monthly and is subject to Brown Act. In addition, a Finance Committee has been formed as an advisory board, consisting of 3-4 Board members, that provides more detailed oversight and guidance on Aspire’s financial sustainability. This Committee has been delegated no authority and meets almost monthly.

Public/Parental Involvement and Escalation:
Meetings of the Executive Committee and Full Board are subject to Brown Act requirements and are open to the public. The public is welcome to go to our designated Los Angeles or Memphis locations to see the meetings via video-conference. An audio conference line is also provided.

Each Aspire school shares local control with an Advisory School Council ("ASC"), consisting of family and school representatives. The ASC participates in developing school policies and shares in efforts to engage the support of the community, including fundraising events and other school functions. The ASC has the power to make recommendations about issues related to the Charter School and participates in reviewing family and community concerns. The ASC consists of representatives of the following parties: the principal, teachers, and family members. The principal is responsible for communicating all ASC policy recommendations to the Aspire Board of Directors. In short, Aspire’s Board of Directors oversees issues related to Aspire schools in general, while the ASCs focus on the day-to-day concerns of each respective Aspire school.
APPENDIX C
Student Family Handbook

Included in original submission.
APPENDIX D
Employee Handbook

Included in original submission.
## Three Year Budget

<table>
<thead>
<tr>
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### Expenses - Personnel

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### Expenses - Operating

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### Expenses - Total

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## Three Year Budget

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Notes:
- Estimated based on historical amounts
- Estimated based on historical amounts
- Estimated based on historical amounts
- Estimated based on historical amounts
### Three Year Budget

#### Revenue Assumptions

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#### Expense Assumptions

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<th>PERS %</th>
<th>Medicare %</th>
<th>OASDI %</th>
<th>Other benefits costs %</th>
<th>Health care average per eligible employee</th>
<th>Authorizer oversight fees</th>
<th>Home office contribution</th>
<th>Facility allocation contribution</th>
<th>Special Education general fund contribution per ADA</th>
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<td>9.00%</td>
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<tr>
<td>2015-2016</td>
<td>2.50%</td>
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<td>12.94%</td>
<td>1.45%</td>
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<td>59,350</td>
<td>1.00%</td>
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<td>12.94%</td>
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<td>2.00%</td>
<td>9.00%</td>
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</tbody>
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- Match revenue COLA
- CALSTRS estimates, 0.5% increase per year
- CALPERS estimates, 0.5% increase per year
- No change to current rate
- No change to current rate
- 10% increase per year
- 1% oversight fee (on LCFF revenues)
- % of ongoing state and federal revenues
- % of ongoing state and federal revenues
- Estimated based on historical amounts

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<th>October</th>
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## Cash Flow - 2016-2017

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### Revenues

- **State and local governments**: $2,656,922 (33% of total)
- **Federal**
  - **State and local governments**: $1,957,792 (34% of total)
  - **Federal**
    - **State and local governments**: $1,957,792 (34% of total)
  - **Local**
    - **State and local governments**: $1,957,792 (34% of total)

### Expenses

- **State and local governments**: $2,656,922 (33% of total)
- **Federal**
  - **State and local governments**: $1,957,792 (34% of total)
  - **Local**
    - **State and local governments**: $1,957,792 (34% of total)

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**Note**: The above table and textual information is a simplified representation of the financial data provided. For a detailed analysis, please refer to the original document.
## LCFF Revenues

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<td>9,904</td>
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<td>83%</td>
<td>86%</td>
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<td>514</td>
<td>517</td>
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<tr>
<td>- Breakfast ADA</td>
<td>83%</td>
<td>86%</td>
<td>86%</td>
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<tr>
<td>- Reduced lunch ADA</td>
<td>17%</td>
<td>14%</td>
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<tr>
<td>- Reduced lunch participation rate</td>
<td>53%</td>
<td>53%</td>
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<tr>
<td>- Free lunch participation ADA</td>
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<td>Federal reimbursement - lunch - free</td>
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<td>Federal reimbursement - total</td>
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<td>$7.90</td>
<td>$7.95</td>
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<td>Federal reimbursement - total, free</td>
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<td>$7.90</td>
<td>$7.95</td>
<td>$7.95</td>
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Federal reimbursement rates are subject to change. For the most current rates, please refer to the federal government's website.
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<td>- Student reimbursement - lunch - reduced</td>
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<td>- Number of school days</td>
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<td>- Student reimbursement - lunch - free or reduced</td>
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<td>- Number of school days</td>
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<td>- State reimbursement - lunch - free</td>
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<td>- State reimbursement - breakfast - reduced</td>
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Excluded student contributions to food service revenues - breakfast/lunch:

- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
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- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
- Student contribution rate - lunch - reduced 0.08
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<th>Description</th>
<th>Amount</th>
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<tbody>
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<td>Food service expenses - breakfast/lunch/week</td>
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</tr>
<tr>
<td>- Reduced price participating ARA</td>
<td>$155,270</td>
</tr>
<tr>
<td>- Federal meal service supplement - lunch/breakfast/breakfast</td>
<td>$186,776</td>
</tr>
<tr>
<td>- Reduced price participating ARA</td>
<td>$155,270</td>
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<tr>
<td>- Federal meal service supplement - lunch/breakfast/breakfast</td>
<td>$186,776</td>
</tr>
<tr>
<td>- Federal meal service supplement - reduced/unreduced</td>
<td>$155,270</td>
</tr>
<tr>
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</tr>
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</tr>
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<tr>
<td>- Federal meal service supplement - reduced/unreduced</td>
<td>$186,776</td>
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<td>- Federal meal service supplement - reduced/unreduced</td>
<td>$155,270</td>
</tr>
<tr>
<td>- Federal meal service supplement - reduced/unreduced</td>
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</tr>
<tr>
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<td>$155,270</td>
</tr>
<tr>
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</tr>
<tr>
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<td>$155,270</td>
</tr>
<tr>
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</tr>
<tr>
<td>- Federal meal service supplement - reduced/unreduced</td>
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<tr>
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<tr>
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<tr>
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<td>- Federal meal service supplement - reduced/unreduced</td>
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<td>$186,776</td>
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<tr>
<td>- Federal meal service supplement - reduced/unreduced</td>
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</table>
Item V. Hearings

B. Aspire Antonio Maria Lugo Academy, Grades K-6: Renewal Petition received on appeal (Enclosure)

Aspire Antonio Maria Lugo Academy submitted the appeal of its renewal petition to the Los Angeles County Board of Education following denial by the Los Angeles Unified School District Board of Education.

Education Code (EC) section 47607(a)(2) provides that renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605(b).

EC section 47605(b) provides that within 30 days after receiving a charter petition, the Los Angeles County Board of Education shall hold a public hearing for the purpose of determining the level of support for the charter petition by teachers, employees, and parents of the proposed charter.

Within 60 days, the Board shall review the petition and information provided at the public hearing and either grant or deny the petition, unless a 30-day extension is agreed to by petitioner(s) and the Board.
Aspire Antonio Maria Lugo Academy

RENEWAL CHARTER for the term July 1, 2014 through June 30, 2019

CDS code: 19-64733-0109660

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February 12, 2014

Elise Darwish, Lead Petitioner
Aspire Antonio Maria Lugo Academy
2565 E. 58th St.
Huntington Park, CA 90255

Dear Elise Darwish, Lead Petitioner:

On February 11, 2014, the Los Angeles Unified School District Board of Education voted to deny the renewal charter petition for Aspire Antonio Maria Lugo Academy. When a school district denies a charter petition, the petitioner may file an appeal, in this case, to the Los Angeles County Board of Education.

Please contact the Los Angeles County Office of Education, 9300 Imperial Highway, Downey, CA 90242, if you decide to appeal the District's decision. The phone number to the LACOE Charter Schools Office is (562) 922-8806. The Los Angeles County Office of Education will inform you of its procedures and requirements for filing an appeal. The Los Angeles County Office of Education will contact the LAUSD Charter Schools Division regarding the forwarding of documents.

You may contact Ms. Melida Dominguez at the Charter Schools Division at (213) 241-0399 to arrange a date and time for pickup of the petition binder.

Sincerely,

José Cole-Gutiérrez
Director

c: Dr. Robert Perry, Administrative Coordinator
   Tom Nichols, Senior Coordinator
   Rene Cardona, Specialist
February 21, 2014

Elise Darwish, Lead Petitioner
Aspire Antonio Maria Lugo Academy
2565 E. 58th St.
Huntington Park, CA 90255

Dear Elise Darwish, Lead Petitioner:

On February 11, 2014, the Los Angeles Unified School District’s Board of Education held a public hearing to consider staff recommendation to approve the charter renewal petition for Aspire Antonio Maria Lugo Academy. As you know, the Board of Education denied the charter renewal petition. Please find attached the following documents constituting the Board of Education’s Findings of Fact for the denial of Aspire Antonio Maria Lugo Academy:

- Attached stamped board report from February 11, 2014 (see item #7)
- Transcripts from the board proceedings
- Board report and Informative

If you have any questions, please contact Dr. Robert Perry at (213) 241-0399 or via e-mail at robert.perry@lausd.net.

Sincerely,

[Signature]
José Cole-Gutiérrez
Director

c:  David Holmquist, General Counsel, LAUSD
    Jefferson Crain, Board Secretariat, LAUSD
    Dr. Robert Perry, Administrative Coordinator,

Attachments: Stamped Board Report from February 11, 2014 (see item #7)
            Transcripts from the board proceedings
            Board Report
BOARD OF EDUCATION OF THE CITY OF LOS ANGELES  
Governing Board of the Los Angeles Unified School District  

REGULAR MEETING STAMPED ORDER OF BUSINESS  
333 South Beaudry Avenue, Board Room  
11 a.m. Tuesday, February 11, 2014  

Roll Call  

Pledge of Allegiance  

Board President’s Reports  

  Committee Chair Reports  
  Labor Partners Update  

Superintendent’s Reports  

  Arts to the Core Update  
  Local Control Funding Formula and Local Control Accountability Plan Development Update  

Consent Items  

Items for action below assigned by the Board at the meeting to be adopted by a single vote. Any item may be pulled off of consent for further discussion by any Board Member at any time before action is taken.  

New Business for Action  

1. Board of Education Report No. 221 – 13/14  
   Facilities Services Division  
   (Contract Actions) Recommends approval of actions that have been executed within the delegated authority of the Superintendent as listed in Attachment A, including the approval of award of 11 advertised construction contracts for $3,113,790; 1 job order contract award for $1 million; approval of change orders for approximately $738,000; the completion of 10 contracts; the award of 32 informal contracts totaling $455,476; the award of 5 architectural and engineering contracts, the award of 2 technical services contract and professional services contract amendments for fire alarm monitoring and storage tank maintenance, and the approval of extra services contracts totaling approximately $1.3 million. Additionally, recommends approval of contract action not under the delegated authority as listed in Attachment B, for elevator maintenance and repair for approximately $1.4 million and professional services contracts amendments not-to-exceed $32,000,000.  

ADOTED BY CONSENT VOTE
2. Board of Education Report No. 224 – 13/14  ADOPTED BY CONSENT VOTE (AMENDED TO APPROVE REVISED ATTACHMENT A WITHDRAWING ADVANCED LEARNING CENTERS CONTRACT 4400002563)
(Procurement Actions) Recommends approval of procurement actions taken by staff within the delegated authority of the Superintendent for professional services, agreement amendments and purchases within the delegated authority as described in Attachment A for a total amount of approximately $11.4 million for tobacco use prevention services, collective bargaining development, grant contract assistance, teacher professional development, auditing services, document control services, and 9,957 procurement transactions and low value contracts. Additionally, recommends approval of professional services contracts and goods and general services contracts with agreements and amendments for amounts over $250,000 not under the delegated authority as detailed in Attachment B, including occupational medical evaluations, lease purchase of 7 truck tractors, and a time extension amendment for Avaya communications systems and equipment, for a total authorization amount increase of approximately $2.3 million.

Office of School Operations
(Adoption of the Instructional Calendars for the 2014-2015 School Year) Recommends approval of the single-track and multi-track instructional calendars for 2014-2015 school year with the first day of school August 12, 2014 and a last day June 4, 2015 for the single-track calendar.

4. Board of Education Report No. 228- 13/14  ADOPTED BY CONSENT VOTE
Human Resources
(Approval of Routine Personnel Actions) Recommends approval of 4,155 routine personnel actions such as promotions, transfers, leaves, terminations, etc.

5. Board of Education Report No. 229 – 13/14  ADOPTED BY CONSENT VOTE
Human Resources
(Approval of Non-Routine Personnel Actions) Recommends the dismissals of 1 classified employees, the suspension-dismissals of 4 classified employees, the rescission of dismissal of 4 classified employees.

6. Board of Education Report No. 184 – 13/14  ADOPTED BY CONSENT VOTE
Charter School Division
(Approval of the Renewal of the Charter for Academia Moderna) Recommends the approval of the renewal of Charter for Academia Moderna for 5 years to serve 486 students in grades K-5 at the school located at 2410 Broadway, Huntington Park, CA, 90255.

Charter School Division
(Approval of the Renewal of the Charter for Aspire Antonio Maria Lugo Academy) Recommends the approval of the renewal of the Charter for Aspire Antonio Maria Lugo Academy for 5 years to serve 420 students in grades K-5 at the school located at 2565 East 58th Street, Huntington Park, CA, 90255.
8. Board of Education Report No. 233 – 13/14
Charter School Division
ADOPTED AS AMENDED

(Amended To (1) Change Proposed Action To “Deny Renewal Of The Charter”, and (2) Add To Action Proposed That the Superintendent add as a District legislative and regulatory priority clarification of the law and regulations so that only charters that choose an LAUSD SELPA will be approved by the Board of Education.)

(Approval of the Renewal of the Charter for Aspire Ollin University Preparatory Academy) Recommends the approval of the renewal of the Charter for Aspire Ollin University Preparatory Academy for 5 years to serve 600 students in grades 6-12 at the school located at 2540 East 58th Street, Huntington Park, CA, 90255.

Charter Schools Division
ADOPTED BY CONSENT VOTE

(Approval of the Charter for Community Preparatory Academy) Recommends the approval of the charter for the Charter for Community Preparatory Academy for 5 years to serve 550 students in grades K-8 at a proposed location in the Crenshaw area in the City of Los Angeles.

Charter Schools Division
ADOPTED BY CONSENT VOTE

(Approval of the Material Revision of the Charter for Equitas Academy Charter School) Recommends approval of the material revision of the Charter for Equitas Academy Charter School to change the education program from Grades K-5 to K-4, with the intention of implementing this change next school year.

Charter School Division
ADOPTED PUBLIC HEARING

(Conditional Approval of the Renewal of the Charter for Granada Hills Charter High School) Recommends the conditional approval of the renewal of the Charter for Granada Hills Charter High School for 5 years to serve 5,500 students in grades 9-12 at the school located at 10535 Zelzah Avenue, Granada Hills, CA, 91344.

Charter Schools Division
ADOPTED BY CONSENT VOTE

(Approval of the Charter for PUC Community Charter Elementary School) Recommends the approval of the charter for PUC Community Charter Elementary School for 5 years to serve 300 students in grades K-5 at the proposed location of 14019 Sayre Street, Sylmar, CA, 91342.

Charter Schools Division
ADOPTED BY CONSENT VOTE

(Approval of the Charter for TEACH Tech Charter High School) Recommends the approval of the Charter for TEACH Tech Charter High School for 5 years to serve 400 students in grades 9-12 at the proposed location in South Los Angeles, in the City of Los Angeles.
Charter School Division
(Adopted by Consent Vote)
Public Hearing
(Approval of the Renewal of the Charter for Valor Academy Charter School) Recommends the approval of the renewal of the Charter for Valor Academy Charter School for 5 years to serve 600 students in grades 5-8 at the school located at 8755 Woodman Avenue, Panorama City, CA, 91331.

15. Board of Education Report No. 244 – 13/14
Charter School Division
(Adopted by Consent Vote)
Public Hearing
(Approval of the Renewal of the Charter for View Park Preparatory Accelerated Charter Elementary School) Recommends the approval of the renewal of View Park Preparatory Accelerated Charter Elementary School for 5 years to serve 650 students in grades K-5 at the schools located at 3855 Slauson Avenue, 3751 W. 54th Street, and 3717 W. 54th Street, all in Los Angeles, CA, 90043.

16. Board of Education Report No. 246 – 13/14
Intensive Support and Intervention
(Adopted by Consent Vote)
(Submission of Carl D. Perkins Career and Technical Education Application for 2013-2014) Recommends authorization to submit the 2013-2014 application to the California Department of Education for secondary education funding from the Carl D. Perkins Career and Technical Education Act in the amount of $6,392 million.

17. Board of Education Report No. 247 – 13/14
Intensive Support and Intervention
(Adopted by Consent Vote)
(Work Experience Education Program Secondary District Plan Renewal/Update) Recommends approval of the Work Experience Education Program Secondary District Plan and application to the California Department of Education.

18. Board of Education Report No. 248 – 13/14
Facilities Services Division
(Adopted by Consent Vote)
(Amendment to the Facilities Services Division Strategic Execution Plan to Define, Redefine, and Approve School Information Technology Network Infrastructure and Equipment Upgrade Projects) Recommends approval of an amendment to the Facilities Services Division Strategic Execution Plan to approve actions associated with school network Infrastructure and Equipment Upgrade Projects. This action allocates $66,161,280 in Bond Program funds to school IT upgrades, and returns approximately $644,500 of funds for other uses.

Facilities Services Division
(Adopted by Consent Vote)
(Authorization to Enter Into a Lease Agreement with the Los Angeles Community College District for the Harbor Teacher Preparation Academy at the Los Angeles Harbor College) Recommends authorization for District staff to execute a long-term lease for the Harbor Teacher Preparation Academy facilities located on the Los Angeles Community College Campus located at 1111 Figueroa Place, in the City of Wilmington, for a period of up to 45 years.
ADOPTED BY CONSENT VOTE  
Accounting and Disbursements  
(Report Cash Disbursements, Reimbursement of the Controller’s Revolving Cash Fund Donations of Money) Recommends approval of warrants for things such as salary payments for a total value of approximately $436 million, reimbursement of the Controller’s Revolving Cash Fund in the amount of $279.88, and the acceptance of 5 donations to the District totaling approximately $449,893.

ADOPTED BY CONSENT VOTE  
Intensive Support and Intervention  
(Youth Career Connect Grant Application Approval) Recommends authorization to submit a application to the Youth Career Connect Grant for a potential $7 million award from the Department of Labor.

22. Board of Education Report No. 256 – 13/14  
ADOPTED AS AMENDED  
Intensive Support and Intervention Educational Service Center  
Amended to (1) continue the closure of Civitas High School, (2) Amend the Report to approve the temporary disenrollment of ArtsLab and the placement of their Pilot contract and approved plan in “inactive” status until the Board or Superintendent seeks to re-enroll students in the program at the current or another school site, (3) Amend the report to read In addition the Board of Education directs the Superintendent to report back with an analysis of the distribution of Choice programs distribution in LAUSD including but not limited to charter schools, pilot schools, magnet and SAS programs. The goal of the analysis should be to identify points of concentration, saturation and remaining choice deserts. The Board further directs the superintendent to identify strategies for supporting District programs in areas of concentration and saturation. Finally, the Board directs the Superintendent to include concentration analysis data to the Board for consideration during future approval processes.  
(Closure of ArtLAB and Civitas High Schools) Recommends approval to close ArtLAB High School at Sonia Sotomayor Learning Academies and Civitas School of Leadership at the Edward R. Roybal Learning Center campus due to low enrollment, and financial, programmatic and staffing constraints.

23. Board of Education Report No. 258 – 13/14  
FAILED  
Office of the Board Secretariat  
(Process to Appoint an Interim Representative for Board District 1) Recommends approval of the process to appointment an interim representative for Board District 1 to serve until an elected representative is certified and sworn in by the City of Los Angeles.

Board Member Resolutions For Action (Continued on Tab 42)

24. Mr. Zimmer - Investing Priorities for Equitable Learning Environments for All LAUSD Students  
(Noticed September 10, 2013 and Postponed from Previous Board Meetings)  
POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING  
Whereas, The passage of Proposition 30 and the Governor’s Local Control Funding Formula (LCFF) proposal present the Los Angeles Unified School District an opportunity to stabilize schools, invest in programs that support improved student achievement, restore essential positions and restore some of the sacrifices made by employees so the District could survive the budget crisis;
Whereas, Declining enrollment, Federal sequestration, and an unstable long-term financial picture require the District to make balanced, strategic and informed budget decisions to ensure school community stability in the coming years;

Whereas, Five years of devastating cuts to basic programs and services at school sites have dramatically affected the resources available to students and families and have negatively affected academic experiences;

Whereas, District employees have not been able to receive Cost Of Living Adjustment (COLA) increases throughout the budget crisis; and

Whereas, Governing Board of the Los Angeles Unified School District resolutions have directed the Superintendent and the Board to engage parents, community and our bargaining unit representatives in soliciting input on priorities for the Board to use when implementing the LCFF; now, therefore, be it

Resolved, That the Superintendent, in accordance with District goals, policies and mandates, prioritize stabilizing schools, re-hiring staff to fill needed positions and restoring programs as the first round of LCFF funding is delivered to the District and the Superintendent delivers budget priorities to the Board;

Resolved further, That the Superintendent be guided by the following principles as he develops stabilization, re-hiring and program restoration plans:

• Increasing student achievement and graduation
• Bringing the District in line with national averages for class size, counselor ratios, administrator ratios, and clerical and classified ratios;
• Eliminating the statutory rehire lists and returning severed employees working in temporary status to permanent status;
• Increasing student, staff and community safety in and around our school communities;
• Seeing input on funding priorities from parents, students, staff, and community members and bargaining units;

Resolved further, That the Superintendent also prioritize incremental salary restoration for all employees to meet at least the State statutes for COLA for the 2012-13 fiscal year and work with our bargaining unit partners to develop a strategy for District-wide restoration over time; and, be it finally

Resolved, That the Superintendent work with parents, students, community and bargaining units to develop immediate priority issues to be considered for funding, should Local Control Funding Formula funding be released during the 2013-14 school year.
25. Mr. Zimmer – Examining Recruitment and Staffing Challenges within LAUSD Special Education and Early Childhood Divisions (Noticed November 12, 2013 and Postponed from Previous Board Meeting)  

**POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING**

Whereas, The Los Angeles Unified School District is committed to providing every student with a quality education in a safe learning environment;

Whereas, Special Education Assistants, Special Education Trainees, Health Care Assistants, Special Needs Assistants, Sign Language Interpreters, and other Special Education classifications accepted reductions in work hours in 2012 to assist the District in balancing its budget and to avoid layoffs;

Whereas, Special Education employees report that this reduction of hours has resulted in negative impacts to student health, safety, and learning; and

Whereas, The Division of Special Education is experiencing numerous challenges related to funding and recruitment of employees; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District recognizes that employees working in the Division of Special Education help provide services that assist in assuring the health and safety of students throughout the District;

Resolved further, That the Board directs the Superintendent to work with parents, staff and others that have been affected by cuts to the Division of Special Education to evaluate the impacts the reduction in staff hours has had on student health, safety, and learning;

Resolved further, That the Board also directs the Superintendent to identify recruitment and training strategies to fill certificated and classified positions in the Divisions of Early Childhood Education and Special Education that have been difficult to staff;

Resolved further, That the Board directs the Superintendent to report back to the Board on the potential advantages and feasibility of re-instituting a career ladder training partnership and other tuition reimbursement programs for classified employees seeking Special Education credentials and/or certification; and, be it finally

Resolved, That the Board directs the Superintendent to report back in 90 days on the impact of Division of Special Education staff hours reductions on student health, safety, and learning and recruitment and training methods for Divisions of Early Childhood Education and Special Education staff.

26. Ms. Galatzan, Ms. García - Local Control Funding Formula Strategy and Implementation  

(Noticed June 4, 2013 and Postponed from Previous Board Meetings)  

**POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING**

Whereas, Governor Jerry Brown’s proposed Local Control Funding Formula (LCFF) attempts to rectify longstanding funding disparities between school districts across California;
Whereas, The LCFF aims to simplify education funding, and create a system that is transparent, clear and equitable;

Whereas, The LCFF does away with categorical funding, much of which no longer serves its intended purpose;

Whereas, The LCFF aims to make education funding equitable, but not equal, and to leave no student in the state behind;

Whereas, To make sure funding is equitable, and recognizing that some students need more services than others, the LCFF allocates additional funding to students who live in poverty, are foster children, or are English Learners (“supplemental” funding), and further funding on top of that to districts where more than half the students fall in one of those categories (“concentration” grants); and

Whereas, Every child in the Los Angeles Unified School District is entitled to a certain level of basic services to support his or her education; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District will continue to advocate for Governor Brown’s proposed Local Control Funding Formula in Sacramento;

Resolved further, That when education funds come to the District in the form of “supplemental” funding and a “concentration” grant, that money will follow the child to the school site;

Resolved further, That the Superintendent and his staff will come back in 90 days with different allocation models where the dollars follow the child;

Resolved further, That those models will take into consideration the base level of funding every school needs to survive and thrive—regardless of zip code, size or composition;

Resolved further, That the Superintendent will bring back a timeline to the Board for determining what that base level of funding is; and, be if finally

Resolved, That the above process to determine what services and programs are part of a school’s base funding will include parent, school, and community participation.

27. Ms. García, Ms. Galatzan – Recommitting to 21st Century Learning for Students
(Noticed December 17, 2013 and Postponed from Previous Board Meetings)

POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, The Governing Board of the Los Angeles Unified School District understands the urgency and importance of 21st century learning and the responsibility it has to students to act immediately on related matters;

Whereas, The week of December 9th through the 15th marked Computer Science Education Week, a flash point for highlighting the clear need for more exposure to technology, programming and digital media to all students;
Whereas, Common Core instructional curriculum standards require that students use computing devices for acquiring skills for digital presentations and web-based research;

Whereas, The Board recognizes the importance of a timely and effective deployment of computing devices in order to accelerate student familiarity with the testing devices for the 2015-2016 Common Core Curriculum;

Whereas, On November 12, 2013, the Board voted 6-1 to move forward with Phase 2 of the Common Core Technology Project after many meetings and hours of discussion;

Whereas, A delayed vote could hinder the effective deployment of Phase 2; tablets, exploratory laptop projects and future related evaluations and slow the deployment to 38 of the districts neediest schools registered with the Office of Civil Rights for oversight; and

Whereas, Various trainings and professional development have been diligently calendared and planned out for teachers and District staff and would have to be canceled; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District authorizes the Superintendent to proceed on approved Board action of November 12, 2013, for the Common Core Technology Plan.


Whereas, The Los Angeles Unified School District and Governing Board are committed to creating academic environments for students to flourish and to build a culture of curiosity and a community of life-long learners¹;

Whereas, The Common Core State Standards emphasize that "To be ready for college, workforce training, and life in a technological society, students need the ability to gather, comprehend, evaluate, synthesize, and report on information and ideas, to conduct original research in order to answer questions or solve problems, and to analyze and create a high volume and extensive range of print and nonprint texts in media forms old and new"²;

Whereas, In 2012-2013, less than half (48 percent) of District students were proficient or advanced in English Language Arts, 9 percentage points below the state average³;

Whereas, Research studies show that access to print materials improves children’s reading skills and improves attitudes toward reading and learning⁴;

Whereas, Reading at grade-level by the end of third grade is the most important predictor of school success and high school graduation;

Whereas, A study of California school library programs and student achievement shows that test scores tend to be significantly higher for schools that have full-time certificated librarians⁵;
Whereas, Librarians and library aides cultivate and curate information resources, teach information literacy skills, collaborate with faculty, and work with students to establish a foundation for lifelong learning;

Whereas, Currently, the District has only 98 out of a total of 726 school libraries staffed by a certificated teacher-librarian, and only 296 schools have at least one library aide; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District promotes and supports student achievement through the development of textual and digital literacy skills, and by ensuring equitable access to texts in diverse media;

Resolved further, That the Board recognizes the importance of libraries as resource centers that provide the space and opportunity for students to both learn at an individual and cooperative level within and outside of the assigned curriculum;

Resolved further, That the Board recognizes the importance of librarians and library aides as integral to schools to help students learn to access, explore, utilize and appreciate ideas, information, and literature, both textual and digital;

Resolved further, That the Board directs the Superintendent to establish a Modern Libraries Task Force comprised of a representative from each of the following:

- Integrated Library and Textual Support Services
- Office of Curriculum, Instruction and School Support
- Parent and Community Services Branch
- United Teachers Los Angeles – Library Professionals Committee
- California School Employees Association
- Los Angeles Public Libraries
- University of California, Los Angeles Graduate School of Education and Information Studies
- At least one literacy-focused not-for-profit entity for the purpose of developing a framework by which the District can guarantee all students access to an adequately stocked and staffed modern school library;
- Los Angeles County Public Libraries and, be it finally

Resolved, That the Superintendent and Task Force will issue a report within 90 days and/or prior to the creation of the 2014-2015 budget outlining recommendations for achieving the aforementioned goals. The report shall focus on:

- Outlining the current state of school libraries in the District, with regards to staffing, book collections, and technical capabilities.
- Defining the role of libraries, librarians, and library aides in support of the Common Core State Standards and the District’s Common Core Technology Project.
- Funding sources for staffing libraries and increasing access to high quality resources for students throughout the District.
- Exploring potential collaboration with the Los Angeles Public Library system and charitable organizations.
• Proposing alternative plans for making libraries accessible to students at schools throughout the District.
• Identifying and prioritizing communities with highest need for library services.


29. Mr. Kayser - Creating Equitable Classrooms

Whereas, The Los Angeles Unified School District (LAUSD) is the second largest school district in the nation with over 650,000 students;

Whereas, The LAUSD and the Governing Board are committed to creating the most equitable and productive learning environments for all students;

Whereas, The LAUSD has over 600 schools consisting of more than 375,000 students currently eligible for Title I funding;
Whereas, The LAUSD has historically funded schools with Title I populations of 40% and above; and

Whereas, The LAUSD only currently funds schools with student populations of 50% or greater which defunded over 20 schools for the 13-14 school year; now, therefore, be it

Resolved, That the Board of Education of the City of Los Angeles directs the Superintendent to approve the Title I distribution for any school with a population of 40% or greater for the academic year 2014-2015 and the subsequent years.

30. Mr. Kayser - Extending Transparency to All Schools

POSTPONED TO MARCH 4, 2014 REGULAR BOARD MEETING

Whereas, The Los Angeles Unified School District (LAUSD) is the second largest school district in the nation with over 650,000 students;

Whereas, The LAUSD and the Governing Board are committed to creating the most accountable, accessible, and transparent schools for all constituents;

Whereas, The LAUSD in 2008 enacted a policy, the LAUSD School Accountability Report Card (first distributed in January 2009), which brought accountability, access, and transparency to all stakeholders in regards to the performance and environment of local LAUSD schools;
Whereas, Vast partnerships were built in 2008, including the Office of Mayor Antonio Villaraigosa, The California Community Foundation, The United Way of Los Angeles and many more to support the implementation and distribution of the report card;

Whereas, All LAUSD schools, including all independent, conversion, and affiliated charters were participants in the initial roll out of LAUSD School Accountability Report Card program;

Whereas, Since the inception of the LAUSD School Accountability Report Card program, independent and conversion charter schools have not provided complete information; and

Whereas, All parents, students, community members and stakeholders deserve to have the most complete information from their school of choice; now, therefore, be it

Resolved, That the Board of Education directs the Superintendent to mandate that all LAUSD approved charters, including independent, conversion, and affiliated submit all required information as their non-charter LAUSD peers have done since 2009;

Resolved further, That the Board of Education of the City of Los Angeles directs the Superintendent to require the following language in each new charter petition and charter renewal petition:

A charter seeking approval, renewal, or material revision by the Board of Education will adhere to deliver the required information set forth by the LAUSD School Accountability Report Card by the same date as the local LAUSD non-charter school in their respective area. Failure to do so, will invoke the process of revocation; and, be it, finally

Resolved, That this be incorporated into the Charter Authorizing Policy as referred to in Board Rule 1008.

Board Member Resolutions For Initial Announcement (Continued on Tab 41)

31. Ms. Galatzan - Increasing Access to Computer Science Education: Taking the Next Steps in Preparing and Educating Our Students for their 21st Century Careers

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, A Bureau of Labor Statistics study predicts that by 2018 California will have 517,890 vacant positions in the computer/technology industry — and only 40,000 Californian workers with the education required to fill those openings;

Whereas, Computer and technology jobs have for the past decade been ranked among the top five highest-paid entry-level positions;

Whereas, Computer science, through the teaching of computer coding, develops the critical skills necessary for imagining, creating, and producing today’s and tomorrow’s technology;
Whereas, Computer science, as an interdisciplinary subject that requires critical thinking and language-development skills, teaches fundamental knowledge that will prepare students for 21st century lives and careers, regardless of their ultimate field of study or occupation;

Whereas, 98% of individuals who have completed or are pursuing computer science majors in college report having access to computer science education in high school or earlier grades;

Whereas, Chicago and other major public school districts across the country have made computer science education part of their core curriculum;

Whereas, Student interest in computer science education in Los Angeles is increasing rapidly. This is demonstrated in programs such as Code.org which, in December 2013, had more than 165,000 LAUSD students participate—with 46% percent female representation, 18% higher than the national average—in a national effort that produced 770 million lines of code;

Whereas, The District's current computer science offerings include 40 high schools offering Exploring Computer Science courses (in partnership with the University of California Los Angeles) and 13 high schools offering Advanced Placement Computer Science courses;

Resolved, That the Board of Education is committed to preparing its students for the 21st century by expanding access to computer science education; and be it finally

Resolved, That the Superintendent return to the Board, in a period not to exceed 90 days, with a report that:

a) provides options for how the District can build upon and expand ongoing high school computer science learning opportunities;
b) examines current and potential partnerships with universities, nonprofits, and other organizations;
c) defines funding needs associated with expanding computer science and learning opportunities; and
d) explores how the District could expand computer science education to middle and elementary school students.

32. Ms. García - Celebrating March as Women's History Month

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, Women have made significant contributions to all aspects of society, including education, politics, science, entertainment, the arts, and family health and development;

Whereas, Women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement;

Whereas, The contributions of well-known women are highlighted in literature, recordings and film;

Whereas, A tremendous number of lesser-known women have also contributed in important areas, including medicine, mathematics, aviation and women's rights;
Whereas, The contributions of women have been celebrated in the United States since 1980, as a result of the advocacy of the National Women’s History Project;

Whereas, Children, as well as adults, have been encouraged and inspired by exposure to the accomplishments of countless women;

Whereas, Women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all;

Whereas, Despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of history; and

Whereas, Additional education is needed in order to increase the knowledge of all citizens relative to the contributions of women to the development of society; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District celebrates March as Women’s History Month; and be it finally

Resolved, That the Superintendent work with all schools and encourage students to learn more about the contributions of women in their particular fields of interest.

33. Ms. García, Ms. Ratliff – Honoring the Life and Legacy of Cesar E. Chavez

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, A passionate advocate for social justice and civil rights for the poor and disenfranchised, Cesar E. Chavez was a true American hero, and the anniversary of his birth on March 31, 2014, provides a fitting opportunity to remember and honor his many contributions;

Whereas, In 1962 Cesar E. Chavez cofounded the United Farm Workers Union to contest the poor treatment of the workers in the fields, and sought to empower those workers by organizing the first union to acquire labor contracts for farm workers in the grape fields;

Whereas, Cesar E. Chavez changed the attitudes of the workers in the fields and the nation far beyond by leading them to live the La Causa slogan, “Si Se Puede,” by empowering all to fight for civil rights and to strive for justice for all minorities;

Whereas, For more than three decades, Cesar E. Chavez led this groundbreaking organization by effecting social change through peaceful tactics such as fasts, boycotts, strikes, and pilgrimages; his union's efforts influenced and inspired millions of Americans, forging a diverse national coalition of students, middle-class consumers, religious groups, and minorities in a hard-won struggle to achieve fair wages, medical coverage, pension benefits, humane living conditions, and perhaps most important, dignity and respect for the hundreds of thousands of farmworkers across the country;

Whereas, Cesar E. Chavez espoused the “Education of the Heart” for all students because he believed that it is not enough to teach our young people to be successful, to seek achievement, and
to make progress as individuals while forgetting about progress and prosperity for their community and while leaving friends and neighbors behind; he believed that our ambitions must be broad enough to include the aspirations and needs of others;

Whereas, In 2000, the Senate established March 31st as Cesar E. Chavez statewide holiday in recognition of the life of this outstanding Mexican-American labor leader and the contributions he has made to the State of California;

Whereas, the Cesar Chavez Day of Service and Learning was created for public school children to promote service to the communities of California in honor of the life and work of Cesar Chavez;

Whereas, even after his death in 1993, his message of non-violence, unity, and justice of all people continues on today;

Whereas, To honor his work and the millions he has inspired, Takepart.com in association with Participant Media and Pantelion Films, have initiated a petition urging President Obama to declare a National Day of Service for Cesar E. Chavez; now, therefore, be it

Resolved, That the governing Board of the Los Angeles Unified School District celebrates March 31st as Cesar E. Chavez Day to honor his legacy and urges the President to declare this day as National Day of Service; and, be it further

Resolved further, That the Superintendent encourages students, staff, school administrators, teachers, and community members to implement service-learning projects based on his life, work, and values, and realize the full intent of the State-established Cesar Chavez Day of Service and Learning; and be it finally

Resolved, That the Board instructs the Superintendent and the Office of Government Relations to communicate this resolution to Congress and the President in support of a National Day of Service for Cesar E. Chavez.

34. Mr. Kayser - Support of Assembly Bill 659 - Armenian Genocide Oral History Component

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, The Los Angeles Unified School District is committed to educating students on the topics of civil rights, human rights violations, and genocide to inform students on the struggles faced by survivors living in their communities;

Whereas, In the past 150 years, millions of men, women, and children have lost their lives in genocide or mass atrocities.

Whereas, California is home to the largest number of refugees and immigrants in the US, many of whom are descendants of genocide survivors or survivors themselves;

Whereas, Between 1915 and 1923, 1.5 million ethnic Armenians living in the Turkish Ottoman Empire were killed due to massacres, forced deportations, and disease in concentration camps;
Whereas, The Nazi Party planned the persecution and murder of so-called “undesirables,” Jews, Slavs, Roma, the disabled, Jehovah’s Witnesses, and homosexuals, as well as political and religious dissidents. It is estimated that six million Jews, two out of every three living in Europe, and another five million people had been killed by 1945;

Whereas, In 1975 the Khmer Rouge ordered the evacuation of Cambodia’s cities and forced residents to labor without enough food or rest, while also targeting suspected political dissidents and those who were educated. Between 1.7 and 2 million Cambodians died in four years;

Whereas, After the death of Rwanda’s President Habyarimana, an organized campaign of violence against Tutsi and moderate Hutu civilians started across the country, resulting in an estimated 800,000 to 1 million deaths across the country in only 100 days;

Whereas, The current “Darfur Genocide” in Western Sudan began in 2003. It refers to the mass slaughter and rape of Darfuri men, women, and children;

Whereas, An oral history component – in-person testimony, video, or a multimedia options, such as a DVD or online video - added to existing curriculum would engage students by capturing the voices of victims not included in traditional historical records; now, therefore, be it

Resolved, That the Board of Education of the Los Angeles Unified School District supports Assembly Bill 659 as currently written.

Motion Requested by the Superintendent

35. Appointment of Member to the School Construction Bond Oversight Committee

ADOPTED BY CONSENT VOTE

Resolved, That Board of Education of the City of Los Angeles reappointments Quynh Nguyen as Parent Members to the School Construction Bond Citizens’ Oversight Committee for a two-year term, commencing February 14, 2014.

36. Appointment of Member to the School Construction Bond Oversight Committee

ADOPTED BY CONSENT VOTE

Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the nomination of Mr. Scott Pansky, Los Angeles Chamber of Commerce, as member to the School Construction Bond Oversight Committee for a two-year term, commencing immediately, and determines that Mr. Pansky is not an employee, official, vendor, contractor, or consultant of the District.

Special Reports

RECEIVED AND STATEMENT READ


Correspondence and Petitions

APPROVED BY CONSENT VOTE

38. Report of Correspondence
Public Hearings

39. Charter for ICEF Vista Business & Finance Academy

PUBLIC HEARING STATEMENT READ

Consideration of the level of support for a charter petition requesting a 5-year term to serve 650 students in grades 9-12 with a proposed location in the West Los Angeles Mar Vista area of Los Angeles.

Approval of Minutes

40. 9:30 a.m. Regular Board Meeting, January 21, 2014 APPROVED BY CONSENT VOTE

Board Member Resolutions For Initial Announcement Continued

41. Ms. García, - Leading Transparency into the Digital World

FOR ACTION MARCH 4, 2014, REGULAR BOARD MEETING

Whereas, For the last seven years, the Los Angeles Unified School District (LAUSD) has worked to increase transparency and informed community engagement;

Whereas, the California State Controller is working to streamline what is already public Information at LAUSD;

Whereas, The California State Controller is contacting every County Office of Education, school district, and charter school across the State to ask them to participate in the important expansion of the State’s public compensation website – publicpay.ca.gov – by providing pay and benefit data for all K-12 public employees and school officials;

Whereas, The previous website only covered public employees employed by the State, its 58 counties, 482 cities, 4,700 special districts, and 23 California State University campuses;

Whereas, Later, 68 of 72 districts comprising California’s Community College system volunteered their compensation data and last year, the University of California system also embraced the goal of greater transparency by agreeing to submit its data by late this spring;

Whereas, Public school districts must be responsible in demonstrating how public dollars are put to work;

Whereas, Transparency leads to better accountability and more informed community engagement,

Whereas, President Obama’s education agenda envisions a nation-wide commitment to preparing all students for citizenship as informed, engaged and responsible members of society;

Whereas, K-12 will be the only area of public education not represented on the website;

Whereas, It is of the utmost importance that LAUSD be a leading partner in sharing public information and trailblazing transparency into the digital world; now therefore be it
Resolved, That the Governing Board of the Los Angeles Unified School District affirms the Superintendent’s actions in complying with the State Controller’s Office request to participate in the expansion of the State’s public compensation website.

Board Member Resolutions For Action Continued

42. Dr. Vladovic - National No One Eats Alone Day (Waiver of Board Rule 72)

ADOPTED BY CONSENT VOTE

Whereas, Social isolation is a problem that affects far too many youth in our middle schools,

Whereas, Social isolation can all too often be a precursor to teasing, bullying and even violence to oneself and others,

Whereas, Beyond Differences was established in 2010 to create an end to social isolation by changing the culture of middle school,

Whereas, Beyond Differences is dedicated to the proposition that all students should feel included, valued and accepted by their peers,

Whereas, Beyond Differences has had a tremendous impact because it is a teen-led social movement which emphasizes peer to peer training and school-based activities,

Whereas, www.beyonddifferences.org is being used as a web tool to sign up schools to encourage their participation,

Whereas, Beyond Differences Teen Board has been leading middle school assembly programs for four years and has presented to nearly 10,000 students, and

Whereas, Beyond Differences is leading National No One Eats Alone Day, “Spread the Love,” on February 14, 2014, now, therefore be it

Resolved, That the Governing Board of Los Angeles Unified School District joins Beyond Differences in proclaiming February 14, 2014 National No One Eats Alone Day and encourages all middle schools to join in this effort and hold a No One Eats Alone on their campus.

Public Comment

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.2(b)(3)). The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board of Education, which meets on the Thursday immediately after this meeting.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretary in person or by calling (213) 241-7002.

Individuals wishing to speak at a Board meeting must sign up at the meeting. There will be no sign ups in advance of the meeting. Speakers must sign up prior to the item being acted upon by the Board. Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

Bd. of Ed. Regular Meeting
02/12/14 Version

STAMPED Order of Business
11 a.m., 2-11-14
If you or your organization is seeking to influence an agreement, policy, site selection or any other LAUSD decision, registration may be required under the District’s Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register or call (213) 241-3330.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters, and at:

http://laschoolboard.org/02-11-14RegBd

Items circulated after the initial distribution of materials are available for inspection at the Security Desk.
Public Hearing

Board of Education Report No. 232-13/14

Charter Schools Division

Approval of the Renewal of the Charter for Aspire Antonio Mario Lugo Academy.

Board Secretariat Jefferson Crain ("Mr. Crain"): Tab 7 is the renewal of the Charter for Aspire Antonio Mario Lugo Academy, moved by Ms. Garcia, seconded by Ms. Galatzan and we have speakers. If people holding speaker cards for tab 7 could come forward, we'll hear speaker no. 1, and the other speakers should line up on the room at your right. Speaker no. 1? The person holding speaker card 1. Very good, if you could leave it right there in the basket (in the background - welcome, welcome...), the card, and speak right into the microphone.

Speaker: Ok.

Mr. Crain: Thank you.

Speaker No. 1: Hi, good afternoon, I'm the Principal of Aspire Antonio Mario Lugo Academy and I just wanted to share that we had 3 parents of special needs that, who wanted to speak on their satisfaction but had to leave due to school dismissal.

Board President Richard Vladovic ("Dr. Vladovic"): Thank you. If speaker holding card no. 2 could come forward.

[Speaker no. 2 starts to speak in Spanish but is stopped]

Dr. Vladovic: Senora, un momento please. There's going to be a translator. Thank you.

Speaker no. 2: [Through an interpreter] Good afternoon, members of the Board of Education, my name is Norma Santiago. I have a special kid. He has TBI, has TBI and I've come here to express you my experience at Antonio Mario Lugo Academy school. I've been trying on several occasions to get help from LAUSD um because of the severe disability my son has. I tried to get a lot of services and it was very hard for me to get them so I got them from AMLA and I want to thank the school for that. The school used to tell me that my son couldn't be in regular school, um regular classes. He's a very happy boy and he is sharing a lot of things with his classmates who are the same...
age he is. He’s receiving services like speech therapy, occupational therapy, physical therapy, and different resources inside the classroom. And my son is going to be very successful in the school because even if he has these disabilities, this school has opened these doors for him to be successful. Thank you for your support.

Dr. Vladovic: Thank you [hand claps in the audience]. Speaker, next speaker please.

Speaker no. 3: Hi, good afternoon. My name is Maria Lura (?) and I am a parent of Antonio Mario Lugo Academy. I have 2 children, a 5th grader and a 3rd grader, and I want to thank all the school Board members, um our president Dr. Vladovic, and especially my children’s school Board member Bennett Mr. Kayser. Um, I want to share with you a little about my children before they attended at AMLA. My son attended another charter Aspire school for a year where he was learning at his pace and was not held back with the rest of the class. Due to personal reasons, I had to move. When I moved to the Valley, my son was held back with the rest of the class. He lost interest in learning. He thought everything was easy and boring. Two years later, we moved back to Huntington Park looking for the quality education he had received. Um so now, I’m very happy that he has, that he has, that my children are attending Antonio Mario Lugo. Um they provide the high quality education for them that challenges my children to think big and learn more. I also like the individual attention the school provides to my children. And last, my children are very happy to be a part of the family of AMLA. So I’m here today to speak on behalf of my 5th and 3rd grade children, to thank you for supporting all public schools and to please vote yes on renewing the school that my kids love and are proud of. Thank you.

Dr. Vladovic: Thank you.

[Hand claps in the audience]

Speaker: Good afternoon. My name is Jessica Rossini (?)-Gomez. I just want to reiterate was the previous parent said. I’m also a parent of 2 students who attended Antonio Mario Lugo Academy. And like many families in Huntington Park, we all aspire to err enroll our children in a school that provides a college mentality, college degree attainment, that is something that is accessible for all. And that is something that we as parents have been able to attain there at Antonio Mario Lugo is that culture of college degree
attainment. And so with that um, I compare them to my family members who attend
other schools in the community and by far these children are excelling academically
and exceling socially. And so with my testimony I ask you to please, you know,
renew our charter. Thank you.

Dr. Vladovic: Thank you. [Hand claps in audience] Speaker no. 4.

Speaker no. 4: David Tokofsky, speaking on the Aspire charter. Um one would assume that
the significant drop in the API is an anomaly at this school. Obviously there’s great
work being done on special ed. as well as academics here. Um it does raise the
question that if the testimony is that solid about the special ed. services then the Board
may want to figure out a more consistent approach to Aspire charters with respect to
what SELPA they’re in. Number two, the report before you says, on page 251, that
current Aspire governing board members have completed questionnaires regarding
conflict of interest. This is a phrase that appears on all of the new and renewing ones.
It no longer refers specifically to the state forms but refers to a vague statement as to a
questionnaire being filled out. I’m not sure what that change is or what the
significance is.

Finally, the school, while doing quite well, obviously with special ed. and in general
with academics, has zero percent of its students identified as gifted or talented. Under
the SAS program that would make them ineligible at Granada Hills charter to be
applying because they’re not identified as gifted. In the District approximately 4 or 5
to 1 White and Asian students are identified as gifted and African American and
Latino kids are less than that, 4 to 1. If you move, the one heroic part about Granada
Hills is that if you move to the west of the 405 freeway and you happen to be Latino or
Black, you have a 4 times a chance of being identified as gifted as to the East. So, at
least Granada Hills is moving more gifted kids to the East of the 405 freeway. The
opportunities therefore under the SAS, which is what you were talking about
previously, to those students in Latino and African American neighborhoods who are
often not tested at 1st grade or 2nd grade are often tested at 3rd or 4th or not tested at all.
I think that was the Superintendent’s mandate, a year or so ago, was stop the inequities
of the testing and make sure that everybody was tested. If you are not tested or you’re
tested late in 3rd grade or you have zero percent gifted and talented at your school, you
will therefore not be available except for the third category which the District still has which requires an incredible amount of time for the teacher to identify the kid outside the gifted for the opportunities within SAS and gifted. The Board of Ed should look at the issue not simply with respect to a charter school before you but in the cases where there are zero percent gifted identified for the inequity of testing that some schools don’t do it till 3 or 4th grade vs. 1st grade on the West side. This provides inequities in the education. Thank you.

Mr. Crain: Thank you [hand claps in audience]. Speaker no. 5. Is there someone holding a card for no. 5 for this item, tab 7? That’s all the speakers Dr. Vladovic.

Dr. Vladovic: We’re ready. Board members any discussion? Mr. Kayser?

Board Member Bennett Mr. Kayser ("Mr. Kayser"): [Starts inaudible]…prefer Mr. Zimmer….

Dr. Vladovic: Mr. Zimmer?

Board Member Steve Zimmer ("Mr. Zimmer"): Very brief discussion. [No one can err….I’m not concerned about, you know, small dips or rises in API. There’s no doubt that um that Aspire schools are excelling in many areas. We had long drawn out conversation about this issue last year around the SELPA …5 years ago, or 4 and half years ago when we started, charter schools were in a very, very different place and, so frankly, was our Special Ed. department. We’ve done incredible amount of work. I’ll like to point specifically to the work that ISIC Superintendent Tommy Chang in his former role um before he was on the District team, to our Director of Special Education Sharyn Howell and her team, um and to a very dedicated team from the Charter Schools, California Charter Schools Association um on the issue of special education. We um have created SELPA options within LA Unified School District that the majority of charter schools are joining that provide the creativity and outside the box thinking that’s in line with the core values of the charter movement.

Everybody has had to do some compromising. We’re in a materially different place, Superintendent, than we were 4 years ago in terms of charter schools service to students with special needs. We’re in a different place statistically, we’re also in a different place on ground. I’m proud of that work. There’s still more work to do
especially as it relates to our low and moderate instant cases. I um... and my... you
know, the charter renewal process gives charters who were formally working under
one SELPA the opportunity to become part of this and I believe that we’re at the point,
Superintendent, where the options are robust enough under the SELPA work that we
have done that we need to ensure that all charters are a part of the LAUSD SEPLA
options. And that’s my only objection to this, this renewal.

Dr. Vladovic: Steve, I’m going to add something. I was on page 252 and this is why I’m
having a problem in supporting this charter right now. The bottom of 452 reads as
follows: “for this reason, the Division of Special Education and the Office of the
General Counsel believe the District cannot ensure that the charter school participating
in an out-of-District SELPA is offering a sound educational program for students with
disabilities.” So based upon that, one of the major reasons I would vote against the
charter is I’m concerned about their sound instructional program. They may have great
scores, and which they do, and they’re doing great things but for this reason alone, I
cannot support this, because of this statement. So I’m going to say no on this.

Superintendent John Deasy (“Superintendent Deasy”): So I haven’t the slightest issue
whatsoever about the soundness of their educational program or their special education
program. Numbers bring me comfort and the trajectory of the achievement in the
school is unquestionable and unassailable. The law... We authorize and reauthorize
charters within the law of the state of California. The law of the state of California
indicates that the charters have a choice on SELPA. I think Board members made a
number of comments which... testaments to the growth both pushed by this Board,
advocated by this Board err for us and with charters. This particular err family of
charters under Aspire are some of the most high performing in the state of California
and in Los Angeles. I’m proud to recommend that they be part of the portfolio of how
we serve students in LAUSD. I visit as many schools as possible. I also particularly
have visited these two schools, and I would encourage you to see the quality of special
education. I would note that this isn’t unilateral. This organization has the majority of
its charters in our SELPA. There are some that aren’t; seven are, 5 participate in the
other. And I think the disruption of services is the piece that I also want to make sure
that the continuity takes place. So err absent this stated issue, umm that is why you
have my unqualified recommendation um for support.

Dr. Vladovic: Anyone else want to comment? Mr. Kayser.

Mr. Kayser: [started but inaudibly] the SELPA being up in El Dorado County, was it 800 hundred miles from here, to be able to do treatments and administrative things. It also concerns me that since the last review, a year ago, the status of the school has come from achieving down to services and support. So, I’m going to be voting no on this myself.

Dr. Vladovic: Um... Yes ma’am.

Superintendent Deasy: Would you then be advocating that any school in LAUSD that went from achieving to support also actually have action taken against it? When we put our school performance framework out?

Mr. Kayser: [Staring inaudibly.] I have a problem with the um charter also not participating in LA SELPA and I’m not sure exactly why I’m being questioned by you now....

Dr. Vladovic: Go ahead.

Board Member Tamar Galatzan ("Ms. Galatzan"): We’ve dealt with the SELPA issue, I don’t know how many times. It’s frustrating to all of us but this is an option made available to charters under state law. You know, and to, to...for us to hold... for us to say we don’t like the legal choice that you made so we’re not going to renew you, even though that’s not an option given to this Board under the state law, just doesn’t make any sense to me. I think the better cause of action in which we talked about ad nauseam is, and I don’t know if Edgar is still here, is to ask the state legislature to amend this to allow a school board to only accept charters of schools that participate in our SELPA. But I mean, I don’t think for us to...that is a legal option available to a charter and if they choose to exercise it, that’s not a reason to deny them. Under the law, it’s not. If we don’t like the legal choices that they made, we can’t deny it for that reason. We talked about this, and talked about this and talked about this, let’s change the law to give us that power. But in the meantime, I don’t think that’s a choice that we have. They’re allowed to do this. I agree, I think it’s a lousy idea. I would like to not um...renew them or authorize a charter for a school that chose this but that’s one of
the legal options they have. We can’t deny it because we don’t agree with them. That’s not an option given to this Board.

Dr. Vladovic: Yes ma’am.

Board Member Monica Ratliff ("Ms. Ratliff"): So um...I as well had like noted the language that you mentioned at the end of page 252...um that “the Division of Special Education and the Office of the General Counsel believe the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with disabilities” and um...I think that’s a great idea to try to ask the state legislature to amend the law. So I hope that some, and hopefully in future Edgar can come forward or someone can come forward and talk about how we can go about doing that. I know that we’ve put forward our legislative...um...priorities, if you will.

Board Member Monica Garcia ("Ms. Garcia"): I mean might someone refresh our memory about the whole...we lost. The District went out and fought, is Mr....Javier? I mean, I’d love for you to tell...make sure.... So friends, if we’re gonna vote, if there’re not four votes to support the school, this goes on to the County and except for a couple of our friends, they renew everything. But um...Aspire, I mean and...this is a school that I don’t know well but I’m looking that it’s 99% Latino, I’m looking that it’s 94% Free and Reduced lunch and while there are other similar schools in the LAUSD that, well, have um similar markings, this school is a 9-rank of similar school and a 6-rank of the state err... 2012. This is an achieving place and I just want to go on record err...if votes may not be here and there may be a technicality about a fight we lost in Sacramento. But for those families that have chosen to put their children in this school, I want to support you because you help LA Unified. When more of our families understand what owning successful your kids mean. So I think people who want charters, feel free, but I’m invested in the LAUSD schools that call on the 6 of us to be their leaders and support schools who are working hard. I think so many of our schools are working really hard to bring families together, to help kids to goal. And friends, the ones that are not, I’ve been at a point of really tough choices where we shut them down, and in fact, there’s another place where...it’s a very difficult thing to say goodbye to Civitas. I helped bring that school there. There’s a recommendation for
leadership. My call from my community is hey, we struggle but we’re going to continue working to bring quality options to all of our families. So, I want to hear the fight on the SELPA and just know for the record, we lost. We gave it... I mean we disagreed with the State Board or whatever, help me. I know we tried vigorously and I don’t, I know think we can do a motion right now to direct our lobbying team to set up err.... I think it’s actually on there. Aren’t we asking about for legal, law... a law that would clarify the SELPA conversation? Help us please.

Executive Director Division of Special Education Sharyn Howell (“Ms. Howell”): There’s that and a few other things. Yes, we lost and we did make a fight for it but I want to say actually that all the work that everyone has done and working with our partners in charter schools, most of the schools have come back to us. So there are not many LAUSD charter schools who are no longer with this SELPA. They’ve come back. And our goal hopefully over time is convince them through the wonderful programs and the services we provide everybody will come back to us to work together to do that. And if you decide to authorize this charter for five years, that’s our goal to work with them to bring these students back. I do believe, looking at the data, they’re doing a good job with the students with disabilities they’re serving and I don’t see anything that says otherwise. And we’ve had a strong program to bring people back. The goal really has been, in the last three years, to work as partners and to make sure that, students wherever they’re served, our students with disabilities are served; and we continue to work with Aspire and all the other charter schools to make sure that our students are served. And I believe that they’re being served there honestly.

Mr. Zimmer: Since you’ve come up here, I just want to ask if you, do have any reason to believe that if Aspire CMO made a different choice and did decide to join the SELPA, do have any reason to believe that our SELPA, err given that now is February and we have until the summer to plan, is there any reason why err there couldn’t be a continuity of services under our SELPA?

Ms. Howell: I’m not their parents; I’m not their students so I can’t speak to that issue about how their services run. Do I believe that you as the District can provide excellent special education services that we can provide and support them with? Yes. But they have... they were one of the first groups that actually moved to El Dorado [Mr.
Zimmer: I understand] when that was allowed for them to do that and they have been there all that time. [Mr. Zimmer: I understand] The others have back in those other years.

Mr. Zimmer: All I'm asking is that....Let me ask the question a different way then. Would we do everything that we could to make sure there was a continuity of services?

Ms. Howell: Most definitely, and we will work as partners to do that. I just, could I just make one other point please, and I know that this actually came up in the conversation around Granada as well. One of the things that I think legally that we want to work with, and our partners in the charter organization have been doing this too, is that we don't have the ability to place the students at charter schools. So if a student em...what are the chances that 10 students who are deaf and hard of hearing will all get in on the same lottery out of a large number of students? And so working together we've been trying to say are there ways legally that spaces can be saved out of charter schools and for them to take moderate and severe students and most of our partners are working with us on that to make sure that they can take more moderate and severe students over time. So....

Dr. Vladovic: Great. Edgar, would you like to come up and umm...there was a question....

Chief of Government Relations Edgar Zazueta (“Mr. Zazueta”): I didn’t catch the whole conversation so maybe if you would restate the question, I’m sorry... if there was a question.

Ms. Ratliff: So my, actually it had been Tamar who’d originally talked about maybe trying to ask our state legislature to amend the law so that only charters that choose our SELPA be approved by the school Board. So I just want to see if we could get some feedback from....

Mr. Zazueta: So the first thing to point out is that there was some State Board of Education decision that created the system where a charter can go outside of its geographic area and sign up with a SELPA. So that was a board action some years back. We did give some consideration to exploring that issue within the legislature last year, a couple years ago. So there had been discussions but they haven’t moved beyond the place where there was ever legislation introduced or whatnot. I would say that it was a pretty
contentious issue; contentious issue at the state board level, would likely be a very contentious issue in the legislature. But by all means we could explore that. And I'm sorry I'm missing some of the context but, yeah, that was, the original action happened from the state board; there hasn't been anything before the legislature to modify that as of date.

Ms. Ratliff: And currently, in terms of our legislative priorities, how does this fit in or has it not been...or have we not fit it in yet?

Mr. Zazueta: I think we can always modify and adopt, you know, legislative priorities throughout the year regardless of, you know, the action that was taken in January. Like I said, previous Boards have discussed this issue; I don't know that it ever ended up on our legislative agenda but by all means, if it's the directive of the Board, to go on, you know, pursue legislation or pursue some relief at the state board then we will explore that. We can modify the priorities throughout the year, per your direction.

Dr. Vladovic: Ok. Great. Umm...We're going to call for the vote right now, please.

Mr. Crain: Board members, Tab 7, approval of the renewal of the Charter for Aspire Antonio Mario Lugo.

Ms. Galatzan? “Yes” vote

Ms. Garcia? “Yes” vote

Mr. Mr. Kayser? A “No” vote

Ms. Ratliff? A “No” vote

Mr. Mr. Zimmer? A “No” vote

Dr. Vladovic? A “No” vote

Item fails.

Superintendent Deasy: Could you explain what that means if the item fails? With the [....inaudible] you gave all, would someone explain....

Mr. Crain: I think that would be for Mr. Holmquist.

General Counsel David Holmquist (“Mr. Holmquist”): So the Board failed to approve the charter. That was not a denial of the charter; therefore we believe that would approve the charter.
Superintendent Deasy: That’s… I want to make sure we understood what happened with the votes that’s why I want to pause for a moment.

Mr. Holmquist: If the Board wants to deny the renewal then the Board should act to deny the renewal.

Superintendent Deasy: While they disagree, I think it’s very important that you understand that, obviously, it was against the recommendation but we want to be very transparent about this. My understanding of a vote like that is that you did not deny the charter.

Dr. Vladovic: You want to make another motion?

Mr. Holmquist: The recommended action before the Board, for more clarification, was to approve the renewal of the charter. That item failed.

Dr. Vladovic: So now, can he make a motion…. [the rest of the sentence inaudible]?

Mr. Holmquist: Yes.

Dr. Vladovic: Go ahead.

[Someone asks a question inaudibly].

Mr. Holmquist: Yes. If there are 4 votes to deny the charter, the item is still before the Board.

Dr. Vladovic: Ok. Go ahead, Mr. Kayser.

Mr. Kayser: I move that we deny the charter for the Aspire Charter School.

Dr. Vladovic [in the background]: No, it’s different. He just explained that. It’s different.

Mr. Crain: Mr. Zimmer, I believe there’s a timeline, that if the Board fails to act within the timeline, then the charter is automatically renewed. I believe that’s what Mr. Holmquist is saying.

Mr. Holmquist: Correct. That is correct. It was contained in the memo that I sent the Board on this topic.

Dr. Vladovic: Right, so if we vote to deny, it’s not….
Mr. Crain: So Mr. Kayser has moved....

Mr. Holmquist: Correct. The Board is acting to deny in the conversation that the Board had will serve as the finding of facts for that, in support of that.

Dr. Vladovic: So that's what the motion is for then....

Mr. Crain: So there's a motion to deny the renewal of the charter and that would require a second. [Inaudible speaker in the background] Seconded by Mr. Zimmer.

Ms. Garcia: Wow, and for the record, Mr. Kayser can you just state your opposition to a good school in your neighborhood? Can you just say it, why? So many families come in and they're being successful. I just like to hear the reason why you choose to deny this for your neighborhood.

[Unrecognized voice]: Just a moment.

Ms. Garcia: And we all represent our neighborhood as we see fit. That's the beautiful part of democracy.

Mr. Crain: You want to report?

Ms. Garcia: But the idea that education interrupts poverty, and in our District, we have not been as successful as this school and the Board member is choosing to deny it and cause it not to exist in a high need neighborhood. Wow.

Ms. Galatzan: And this is a school with an 835 API with a 14-point increase, similar school rank of 9 out of 10. Their Special Ed. enrollment is exactly what the District did. EL population is larger than similar schools, with the declining rate of suspensions, with only one this year. It just baffles me why a school with an 835 API would be denied because we don't like their choice of SELPA, although there's absolutely no indication whatsoever from the head of Special Ed. that it is causing a problem. They made a legal choice that is totally legal that we've lost about and we're going to deny an 835-API school because we don't happen to agree with their SELPA? I just.... As a parent, this disgusts me to be honest. I don't understand. We have a high performing school, an option for parents in this District that people are going to make a political statement and close because they don't like their, one of the legal options available to
them?

Ms. Garcia: I'd like an answer. You don't want to answer? [Inaudible voices in the background.]

Mr. Crain: I'll call for the votes.

Ms. Garcia: So Richard....Excuse me Mr. Jeff....Um, the Board member can choose not to answer but I hope that the people of Los Angeles make us all accountable because seven of us.... And I feel very badly on days when School Police calls my cell phone, when I show up to schools and certainly the bleachers are busted and yes we had deferred maintenance, and yes there are technical issues you know, how we're going to spend this money. But today we're doing is denying...we're shutting down a school that is working for some kids and has been a model of how to include others. That's what's happening at the LA Unified today and I hope that we do hear from the public whether your support, whether you support this action or you don't.

Dr. Vladovic: Ok, I...I....That concludes that part of the discussion. Jeff, would you please call for the vote?

Unrecognized voice in the background (Dr. Vladovic?): No, we have to vote for ....

Mr. Crain: On the motion to, on the motion to deny the renewal of the charter, Ms. Galatzan?

Ms. Galatzan: No

Mr. Crain: A "No" vote, Ms. Garcia?

Ms. Garcia: No

Mr. Crain: A "No" vote

Mr. Kayser?

Mr. Kayser: Yes

Mr. Crain: Ms. Ratliff?

Ms. Ratliff: Yes.

Mr. Crain: "Yes" vote. Mr. Zimmer?

Mr. Zimmer: Yes
Mr. Crain: “Yes” vote. Dr. Vladovic?

Dr. Vladovic: Yes

Mr. Crain: “Yes.” Motion passes. Thank you. Umm....

END OF DELIBERATIONS ON TAB 7.
Public Hearing

Board of Education Report No. 233-13/14

Charter Schools Division

Approval of the Renewal of the Charter for Aspire Ollin University Preparatory Academy.

Dr. Vladovic: We go to number 8

Mr. Crain: Tab 8. We have speakers to this item. We could also have it moved and seconded.

Moved by Ms. Galatzan, second by Ms. Garcia. So Speaker no. 1. This is Tab no. 8, if they could come forward?

Speaker no. 1 [through an interpreter]: Good afternoon, my name is Solemi Rodriguez and I'm come here representing school Aspire Ollin. Four year ago, my son was studying at Aspire charter school. He has autism and I want to talk to you about the experience that he has. When he started in the school, he had 20 percent of disability and he had an increase of 80 to 90 percent improvement at the school. It is very important for me that he gets this opportunity and he continues to get, receiving these types of services. I want him to be a normal boy. I want him to be a sociable boy with other kids. And this opportunity has given him a chance to become a better person, that was given to him by Aspire. In this school they offer the education in which they focus on these kids. They give them the opportunities for education and the opportunity to improve as human beings. I would like to thank you for taking into account the needs that the mother of these special needs kids have. In order for them to have the same rights and continue receiving these opportunities to become future citizens of success. Thank you so much for taking this into account, not only for mothers of special kids but those kids who have special needs. Thank you.

Speaker no.2 [through an interpreter]: Good afternoon. My name is Lorena Garcia. I have 12-year old boy who is in 7th grade that I have been having a lot of difficulty with him. He has speech problems and I never had any guidance, any correct guidance, you know, to get the need that I needed for him to be successful in school. When I found this charter school, I found the support and they were taking my son into account, not just
as an individual boy but they take us into account as a family and they showed compassion to our need. They focused on our needs in order for him to be a good person to be successful in the world.

He is in Ollin, Aspire Ollin and he receives all the services for his needs like speech therapy, support by the teachers, the family, he talks to me. He’s very close to the family. He’s preparing for the future and I’m totally surprised to see that he has grown a lot. He’s sure of himself and he’s even talking about going to Harvard. He has a GPA of 4.0. And this is all thanks to Ollin charter school. I thank you for reconsidering Ollin, Aspire Ollin school as a charter and I would like you to really think about this proposal because when you have a son like this and you have to fight for it, it is really difficult and it is even more difficult if all these doors are closed in front of you. So please reconsider the renewal...the Ollin Aspire charter school. Thank you for your time.

Mr. Crain: Board members, that’s the last speaker. Dr. Vladovic, that was the last speaker.

Dr. Vladovic: Ok. Right now we’re voting on the charter, and we have a movement, if I’m not mistaken, from Mr. Kayser.

Mr. Kayser: I move to deny the renewal of the charter.

Dr. Vladovic: Is there a second?

Mr. Crain: Mr. Zimmer seconded.

Dr. Vladovic: So the remaining routine is to report language to deny.

Ms. Garcia: Mr. Chair?

Dr. Vladovic: Sure, I’m going to see if there’s any discussion, so first we got the motion and the second now discussion. Yes ma’am?

Ms. Garcia: Ok, so again, I’d love to hear from you, Mr. Kayser, why you think it’s important to deny a school...It’s 99% Latino, it is 91% Free and Reduced lunch, and it has an 813 base API on 2012. Most areas, this is considered successful. Similar school rank...oh mine says 9. It’s an achieving school and we heard from parents who are
satisfied with service. And, I mean, I understand that they’ll probably get approved at the County. What is this about for you?

Dr. Vladovic: Steve’s [...inaudible]. Go ahead.

Mr. Zimmer: So, so....

Ms. Garcia: So wait, Mr. Kayser, you don’t want to answer again?

Mr. Zimmer: I’ll answer. He doesn’t [...inaudible]... Um, so one year ago,....

Ms. Garcia: Wait. You didn’t let him answer. Does he not want to answer?

[Unrecognized speaker]: This is not part of err [...inaudible]. He doesn’t have to respond.

Ms. Garcia: He went to touch the..., he motioned which is why I was stopping Mr. Zimmer.

Dr. Vladovic: I know. Let’s um...I’m going to call on Mr. Zimmer right now unless Mr. Kayser objects. Alright. Go ahead, Mr. Zimmer, finish your.... Say what?

Ms. Garcia: Privilege...that’s called privilege

Dr. Vladovic: What’s called privilege?

Garcia: Mr. Kayser was motioning to hit the...he could either answer not to speak. He can answer.

[Unrecognized speaker]: [...inaudible] Richard’s privilege.

Ms. Garcia: Do you not want to answer?

Dr. Vladovic: Monica, he’s not answering. Let’s move on. Mr. Zimmer?

Ms. Garcia: Ok.

Mr. Zimmer: One year ago, we had the exact same discussion. Um and I was willing, a year ago, to Superintendent’s request, because of all the arguments that’d been made by Ms. Garcia, to change my vote and to give another year for us to work with the Aspire Charter Management Organization to um, after all the work that has been done in LAUSD together with the Charter Schools Association, together with our partners to
join our SELPA. We’re not stepping in, we’re not stepping in in any way. We’re taking the advantages that are allowed to us by state law in the renewal process to raise questions that have to do with the oversight, which is totally within our bounds as an authorizer. We, as an authorizer, can determine if we believe that the, our ability to supervise and provide oversight is compromised by this or any other mechanism that could be, that could be interpreted as a sound or unsound educational practice. The words on paper that Dr. Dr. Vladovic read are the words on paper for our legal counsel, from our legal counsel. We can’t pick and choose the times we that believe our legal counsel is, you know, has the authority. And so unless we’re going to say that those words that’s written into our Board book that Dr. Vladovic read are not valid, then there’s a legitimate disagreement, which I respect, the last time saying I would do it on the commitment that we would work with this organization to bring them into the SELPA, I changed my vote. A year’s passed, we’re in the same situation. It’s a legitimate issue to believe, it’s a legitimate issue to argue, it’s a legitimate issue to vote based on our interpretation of what has been written in front of us. You are absolutely right, this charter would be approved by the County; it would be and this is not a statement against any parent, any teacher at Aspire. We have an opportunity, there’s an hour left in this Board meeting. There’s ample opportunity for the Charter Management Organization to send us a different message in terms of their participation. If the concern was that there wouldn’t be a continuity of service, our Special Education director, just like she said, that if there were egregious things happening in terms of special education at the school, I imagine that we would step in and take other actions. We know very clearly that egregious things would not happen. We have invested in change. It’s totally legitimate for us, especially given legal analysis read by Dr. Vladovic, to insist that the charter we renew participate in that change.

Superintendent Deasy: So in the spirit of that good and healthy debate, two points I would want to raise: One is that our Special Education leader said that actually they’re doing a good job in special education, and they have no problem with it. And second of all, during this period in time when both schools improved, they improved their performance and they improved their outcomes. Is it legitimate that, the statement is that, it doesn’t allow us good oversight? I believe that that is actually true. Um Mr.
[inaudible], I think you were mumbling something that the API dropped. It dropped twice as less neighboring schools. That is correct. There was improvement.

Mr. Crain: Just noting that it went from an 8 err...[inaudible.]

Superintendent Deasy: I’m not debating with you however; I’m talking to the Board.

Ms. Galatzan: So this is what the law says. It says that in order to deny a charter petition the board needs to adopt written factual findings setting forth specific facts to support one or more of the following findings. Mr. Cole-Gutierrez, I would invite you down here...I’m sorry, Mr. Cole-Gutierrez, I would, I’m looking at the law that says that the board needs to adopt written factual findings setting forth specific facts that support the fact that we’re concerned they’re not providing special ed. services or some other educational unsound. I don’t see it in any of the Board’s reports.

Mr. Holmquist: So, so Board members, as I mentioned the last time I was before you, we’re going to use the discussion that the Board is having, in the event the Board notes to deny, as the factual findings. We’ve done that in the past and that’s what we would do in this particular circumstance; that is assuming the Board votes um to deny this charter.

Ms. Galatzan: So what, I’m sorry, so because several colleagues on the Board have said that they don’t like the SELPA that’s now a written factual finding about the SELPA, even though our head of Special Education said it was fine? So the one person here who knows, to be honest, more than any of us said, came down here and said that the special ed. offerings were fine but folks here decide, for whatever, for no factual reason that has been presented, they disagree with her, based on no facts being presented, and that’s what we’re going to go with?

Mr. Holmquist: That’s all there is to go with.

Mr. Zimmer: Could you read, could you read page 252? “For this reason, the Division of Special Ed. and the Office of the General Counsel believe the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with disabilities.”
Mr. Holmquist: Absolutely. I’m happy to do that. I’m not the author of that document but I will say what I believe it means and that is, that we cannot guarantee because it is an out-of-District SELPA. It in no way infers or states that there is a problem with that SELPA. It just says that we cannot guarantee the effectiveness of that SELPA because it is out of the area.

Director of Charter Schools Division Jose Cole-Gutierrez (“Mr. Cole-Gutierrez”): And if I can add to that, because I also signed the Board report. We discussed with staff even last year, that statement which was in the prior Board reports. I understand that statement to be an appropriate notice to the Board of the possibility of that. It doesn’t state as a fact that they’re not providing such a program. Then our due duty as staff has been to analyze the numbers, which we have tried to do. So I only state that as what I believe, as a signatory to the Board report as my understanding of that statement, not as a conclusory statement but as one that um, in abundance of caution, apprises the Board of that possibility, of that fact that it can be an unsound educational program to which data would say or not. And we can clarify the language. I’m just speaking in terms of someone who read the report because we’re also doing the analysis of the item for the Board.

Mr. Zimmer: It’s a policy issue.

Mr. Cole-Gutierrez: Yeah.

Ms. Galatzan: This is not a policy issue. I mean, this is a factual issue.... And no, no, and I don’t mean this as harsh as it’s going to sound but that’s a CYA statement. Like we can’t guarantee it because we don’t provide it. Well, of course we can’t guarantee something that someone else provides but the head of Special Ed. came down here and said she sees no problem with it. So Mr. Zimmer, I respectfully disagree. This isn’t a policy issue, this is a factual issue where the person with the facts came down here and told us. And if you just want to disregard the facts because they’re uncomfortable for you to hear that somebody who goes outside our SELPA might do a good job, that’s not a reason to deny this charter and it’s setting a horrible precedent.

Ms. Garcia: So, I also need to say out loud, I disagree that this is a policy issue. This is affecting some 500 families in a neighborhood that sorely needs schools that meet
their students’ needs. And friends, I’m surprised today, you don’t need to clap, I’m surprised today that there are not more people in this boardroom, because a funny thing happens to the policy makers and the elected officials when the community rises. So whatever neighborhood you are from of the southeast, you need to go get you comadres and compadres and bring them next week or tomorrow and demonstrate that this behavior is not acceptable. When something works for your kids, we should be learning from it not shutting it down. When something works, you know, I just have to ask, I know the papers have been talking about do Latino kids get negatively impacted by the rules of this place? And I am challenged to say, yes, there are conscious decisions to negatively impact Latino kids. But today these actions negatively impact Latino kids and families and I am concerned about that. And certainly, everyone who has been elected we benefited from people investing in us, reading, or writing, thinking and believing, whatever extracurricular we had. What is for, what is here today, Board members is something, and the public, I just need to talk to the public because I don’t understand today what we’re talking about. We don’t like the rules, we disagree with the rules, we’re not paying attention to the fact that kids are succeeding. And if there were every other schools of the southeast where these parents can pick up their kids and go to the school next door and get the same service, I don’t think we’ll have an issue. And when, I do believe that LA Unified is going to get there. I absolutely with every energy in my body believe that this District is going to rise to meet the demands of our constituents. But today, Board members, today people who are watching KLCS, we should all ask ourselves what is happening? When we partner, I mean you cannot like charters, but it’s interesting that this school, this school for whatever reason; and I don’t like a whole lot of stuff, and I don’t spend a whole lot of time on what I don’t like, but I see a school that is achieving, I see a school that is helping LA Unified meet its responsibility to, you know, people who rely on us. People, these parents come, and friends, if LA Unified was doing it for them they would have stayed there. The challenge is that we do, we get to 66% of graduation for our kids and until the people who are not necessarily the voters, until the users of this system think Tuesday is important and you come down to Board meetings and make yourselves known. It’s very interesting, there’s never been a rally to, you know, boycott the dropout rate, and there hasn’t been a rally to sue us on the dropout rate, and friend I just, I welcome it. This organization, this organization has to hear from
parents in an organized way; but if we’re going to shut down what works for our community, I’m really for whatever reason, for whatever reason that is, I am just really concerned about the state of affairs at the School Board at LA Unified today.

Dr. Vladovic: Thank you. Ms. Ratliff?

Ms. Ratliff: Um, so obviously I have stated over and over again that I would support successful charters that are open to everyone. And that also meant, in my mind, we could be able to oversee and work with them in terms of their special education population and so that language is concerning to me. And so I want just be clear why I’m voting the way I’m voting. But I want to offer a friendly amendment as well in case um, you know, ‘cos I figure why not? So my friendly amendment is that we would include in this um motion to deny um, resolved, that said resolved that the Superintendent add as a District legislative priority the clarification of the law so that only charters that choose our SELPA be approved by the School Board.

Ms. Galatzan: They already told us we can’t do that.

Ms. Ratliff: Why can’t we....?

Superintendent Deasy: So I just think that for your amendment, you should include that as both a legislative but also as regulatory at the state board.

Ms. Ratliff: Ok. As a District regulatory and legislative priority.

Superintendent Deasy: Yes.

Ms. Ratliff: Right. Just ‘cos I figure if that’s what this is all about, let’s just be clear that we want to try to make a change there. But it’s a friendly amendment, so if it’s not friendly I ....inaudible].

Dr. Vladovic: Have you accepted it? Mr. Kayser? Mr. Zimmer?

Ms. Ratliff: Ok.

Dr. Vladovic: Please Mr. Crain call for the vote, on the amendment.

Mr. Crain: So this is an amendment that would change the action proposed to deny the charter
um. You, the Board has a choice of the renewal of the charter. Um this amendment would change the language and then you could vote on the motion as of the Board report as amended or you could accept this as a substitute to so there’ll only be one vote.

Ms. Ratliff: So it makes a motion to deny is a....

Mr. Crain: Well he’s substituting a renewal...if it’s okay with the Board we’ll make a single vote of this rather than to make a change of language.

Superintendent Deasy: If I could make a comment. So I realize that I’ve done my appropriate job of advocacy. I would like to ask, is it more appropriate for the Board to take the disposition of the item in front of it and then choose another item as opposed to...? Then the, the agenda item was never voted on. So vote it down if you want to and then change it, um Board member Mr. Kayser like you did last time. And I’m wondering if that is a cleaner way so that that procedural issue is not the problem. You know what I’m saying? The first time we did this, the first time we did this the Board took an action of no action and then Board member Mr. Kayser admitted it which I think that was an actual flow.

Mr. Crain: I don’t think that’s required. I’m just trying to help us out by the one vote or two votes and if no one objects, I would have this as a substitute that we’re amending the Board report and adopting the Board report as amended.

Ms. Ratliff: With a denial.

Mr. Crain: With the two changes are to amend the action proposed to do, to deny the renewal of the charter and to include, and add a legislative and regulatory priority um to have the approved charters be within the LAUSD SELPA.

Ms. Ratliff: Right, right, a legislative and regulatory priority regarding the clarification of the law so that only charters that choose our SELPA be approved by the School Board. I can just hand this to you too.

Mr. Crain: Okay. Well I’ll include that. Thank you. So I’ll call the roll.

Ms. Galatzan? A “no” vote.
Ms. Garcia?

Ms. Garcia: No, I'm against shutting down this school [....rest inaudible]

Mr. Crain: Thank you. Mr. Kayser?

Mr. Kayser: Yes.

Mr. Crain: A "yes" vote. Ms. Ratliff?

Ms. Ratliff: Yes.

Mr. Crain: "Yes" vote. Mr. Zimmer?

Mr. Zimmer: Yes.

Mr. Crain: A "yes" vote. Dr. Vladovic?

Dr. Vladovic: Yes.

Mr. Crain: A "yes" vote. The item passes. The Board report is approved as amended.

END OF DELIBERATIONS ON TAB 8.
Los Angeles Unified School District
Board of Education Report

Report Number: 232-13/14
Date: February 11, 2014
Subject: Approval of the Renewal of the Charter for Aspire Antonio Maria Lugo Academy
Responsible Staff:
   Name: José J. Cole-Gutiérrez, Director
   Office/Division: Charter Schools Division
   Telephone No. (213) 241-0399

Board Report

Action Proposed: Staff recommends approval of the renewal of the charter for Aspire Antonio Maria Lugo Academy for five (5) years, beginning July 1, 2014 until June 30, 2019, to serve 185 students in grades K-5 in year 1 and up to 420 students in grades K-5 by the end of its charter term.

Background: On November 20, 2013, Aspire Antonio Maria Lugo Academy submitted its charter renewal petition application to the Charter Schools Division. The charter petition and supporting documents were reviewed by the Charter Schools Division, the Office of the General Counsel, and other District staff. Pursuant to a waiver executed by petitioners and the District, the statutory timeline for Board action on this petition has been extended to February 18, 2014.

In accordance with Education Code sections 47605 and 47607, the Charter Schools Division considers the following criteria when reviewing a renewal petition submitted by a charter school:

- Confirmation that the charter school’s performance has met the minimum criteria under Education Code section 47607(b), including considering increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal;
- Review of the charter petition to assess the soundness of the educational program; ensure it contains the required affirmations; and ensure it contains reasonably comprehensive descriptions of the 16 elements;
- Assessment that the petitioners are demonstrably likely to successfully implement the program;
• Confirmation of the academic, operational, and fiscal soundness of the charter school based on the Charter Schools Division oversight and the school’s achievement results on the District’s School Performance Framework.

Staff assesses that Aspire Antonio Maria Lugo Academy has met the above criteria.

Aspire Antonio Maria Lugo Academy serves students in grades K-5 in Board District 5, Educational Service Center South (ESCS), at 2565 East 58th Street, Huntington Park, CA 90255. The school has reported its current enrollment as 185 students in grades K-5. The school is located on a private site.

Aspire Antonio Maria Lugo Academy was originally approved by the Board of Education on June 10, 2003 and renewed on June 9, 2009. For the proposed 2014-19 charter term, the enrollment capacity of the charter school is 420 students in grades K-5 in each of the five years of the charter term. During the current charter term of Aspire Antonio Maria Lugo Academy, the school’s student body has reflected the community in which it operates. According to October 2012 CDE data, the school’s demographics are approximately 100% Latino. Aspire Antonio Maria Lugo Academy has chosen to implement its own English Learner Master Plan and has provided supporting documentation to the Charter Schools Division.

LAUSD’s Board of Education authorized its first two Aspire schools in 2003. Aspire Public Schools was founded in 1998 and currently operates 37 public charter schools serving 13,500 students throughout California and Memphis, Tennessee. In Los Angeles, 12 Aspire Public Schools are authorized by LAUSD within the communities of Huntington Park, South Los Angeles and South Gate. The organization and its schools demonstrate strength in operations, fiscal management, governance, and fulfillment of their charter terms and are in good standing with the District.

Aspire Antonio Maria Lugo Academy has met the minimum academic performance criteria for renewal required under Education Code section 47607(b) as evidenced below in the Summary of School Performance. In 2012-13, the school achieved a school-wide Growth API of 835, a 14-point increase from its 2011-12 Base API of 821. The school earned a 2012-13 Statewide Rank of 6 and a Similar Schools Rank of 9. Lastly, the school has significantly outperformed the resident District schools with comparable demographics in each year of its charter in Growth API and in the percentage of students scoring proficient and advanced on CST ELA.
and Mathematics.

The District-wide School Performance Framework (SPF) classification is another criterion considered when reviewing a charter school renewal petition. According to the 2013 SPF, Aspire Antonio Maria Lugo Academy has been classified as a “Service and Support” school, which is the third tier of five possible tiers of performance. The school’s SPF classification declined from “Achieving” to “Service and Support” primarily due to the school having a greater than or equal to 0.5% suspension rate of the student body during the 2012-13 academic year and the attendance rate as measure within SPF. Leadership at the school is encouraged to continue to develop and implement the supports and interventions deemed necessary to decrease the number of students suspended and/or expelled (See Summary of Charter School Performance below).

According to the December 2012 CASEMIS report, Aspire Antonio Maria Lugo Academy had a special education enrollment rate of 11%, which was one percentage point higher than the LAUSD Similar Schools from CDE Median (10%). The school is committed to continuing its efforts to identify and serve students with disabilities.

Over the five years of the charter term, the school has effectively increased the proficiency levels of Student with Disabilities as measured by the California Standards Test. In ELA this subgroup of students has increased their proficiency by 48% and in math, by 6%.

Aspire Antonio Maria Lugo Academy staff, together with its Home Office and Regional Office, continues to work to meet the Modified Consent Decree outcomes.

As a high quality authorizer, LAUSD strives to share and leverage promising and innovative practices across LAUSD schools to help generate innovation and improve educational outcomes for all students. Aspire Antonio Maria Lugo Academy has exhibited three promising practices: 1) The College Ready Promise - In collaboration with Aspire’s Home Office, Aspire Antonio Maria Lugo Academy is implementing The College Ready Promise and the College Ready Teaching Framework in order to evaluate teachers, build teacher development, guide professional development and provide a means by which all Aspire teachers collaborate and continue to build on the commitment of “College for Certain” for all students. 2) Professional Development – Aspire affords all certificated and classified personnel within the organization the opportunities to receive differentiated professional development and leadership experiences that fulfill the
organization's goal of "fostering effective educators" through some of the following professional developments (PD): 3) Cycle of Inquiry (COI) – Aspire's Cycle of Inquiry and the use of Schoolzilla provides teachers with crucial student information. Weekly structured data discussions and multiple meetings monthly with the L.A. Regional and Oakland Home Office devoted to data talks allows leadership, teachers and support staff to analyze school-site data.

Current Aspire Antonio Maria Lugo Academy Governing Board members completed questionnaires regarding conflicts of interest. A due diligence review performed by the Office of the Inspector General of the school's principal and on-site financial manager revealed no material negative findings.

Prior to the Board approval of the charter renewal, the school must submit any requested materials including a signed Memorandum of Understanding (MOU) for Special Education.

The petition is available for perusal in the Charter Schools Division and online at the District's Board of Education website at http://laschoolboard.org/charterpetitions.

Expected Outcomes: Aspire Antonio Maria Lugo Academy is expected to operate its charter school in a manner consistent with local, state, and federal ordinances, laws and regulations and with the terms and conditions set forth in its petition. The benchmarks for achievement are set forth in the petition.

Board Options and Consequences: "Yes" – The approval of the renewal of the charter term for five (5) years would grant Aspire Antonio Maria Lugo Academy the right to continue to operate as a charter school under the terms of the renewal petition for a five (5) year period beginning July 1, 2014.

"No" – The denial of the renewal of the charter term would cause the charter to expire on June 30, 2014, unless Aspire Antonio Maria Lugo Academy appeals the denial and the charter is granted by the Los Angeles County Board of Education or the California State Board of Education. This Board Report No. 232 – 13/14 and accompanying documents shall constitute the Board of Education's adopted written findings of fact for the denial of the Aspire Antonio Maria Lugo Academy renewal petition.

Policy Implications: There are no policy implications at this time.

Budget Impact: State income and various other income sources to the District are reduced when current District students enroll at a charter school, and comparable or
offsetting expenditure savings may not occur in such cases. Under Education Code section 47604(c), a school district that grants a charter to a charter school to be operated by, or as, a nonprofit public benefit corporation is not held liable for the charter school’s debts or obligations as long as the school district complies with all oversight responsibilities. The District will continue to have monitoring and oversight responsibility for charter school finances, as specified in the Charter Schools Act. Any modifications to the charter school’s petition or operations with significant financial implications would require District approval prior to implementation. Petition approval is also contingent upon adequate liability insurance coverage.

Aspire Antonio Maria Lugo Academy has selected to remain a member of the El Dorado County Charter SELPA. LAUSD staff will continue to have discussions with the school about their participation in one of the 3 options within the LAUSD SELPA, including requesting Aspire to file the proper notifications pursuant to Education Code section 56195.3(b) to elect the LAUSD SELPA as an alternative SELPA option beginning in the 2015-2016 school year.

Issues and Analysis:

If all pending issues, including but not limited to special education requirements, special education local planning area (SELPA) requirements, and facilities matters, are not resolved at the time of the Board meeting, the Office of General Counsel may recommend the denial of the renewal petition.

Aspire Antonio Maria Lugo Academy has indicated its intent to retain its current membership with the El Dorado County Charter SELPA. If District-authorized charter schools join an out-of-District SELPA, LAUSD will have no authority regarding the recruitment, enrollment, and retention of students with disabilities at those schools. However, the District retains authorizing authority and the federally mandated Modified Consent Decree will still apply to this school. The District will continue to be responsible for monitoring and implementing its requirements at this school. To that end, it is crucial that the charter school timely submits all of the necessary data to the District to enable the District to ensure the Modified Consent Decree requirements are being met. If a student leaves a District-authorized charter school that participates in another SELPA through suspension, expulsion, or recommendation to the parent, LAUSD must assume responsibility for serving that student as long as the student resides within the LAUSD boundaries. For this reason, the Division of Special Education and the Office of the General Counsel believe that the District cannot ensure that the charter school participating in an out-of-District SELPA is offering a sound educational program for students with
disabilities.

Additionally, if charter schools do not belong in the LAUSD SELPA, the District will not receive any of the special education revenue (AB602 and IDEA). AB602 and IDEA revenues are generated based on Average Daily Attendance ("ADA"). These charter schools will not contribute any revenue to the general fund contribution towards special education programs (encroachment).

The District will continue to explore with Aspire the SELPA options within LAUSD and to make proper notifications to elect an alternative SELPA option in compliance with Education Code section 56195.3(b).

Attachments:

☐ Informative
☑️ Desegregation
    Impact Statement
Respectfully submitted,

DR. JOHN E. DEASY
Superintendent

APPROVED BY:

MICHELLE KING
Senior Deputy Superintendent
School Operations

APPROVED & PRESENTED BY:

JOSÉ J. COLE-GUTIÉRREZ
Director
Charter Schools Division

REVIEWED BY:

DAVID HOLMQUIST
General Counsel

Approved as to form.

TONY ATIENZA
Director of Budget Services and
Financial Planning

Approved as to budget impact statement.
LOS ANGELES UNIFIED SCHOOL DISTRICT
Board of Education Report

DESEGREGATION IMPACT STATEMENT (DIS)
ASPIRE ANTONIO MARIA LUGO ACADEMY
BOARD OF EDUCATION REPORT 232 – 13/14
February 11, 2014

I. Category of Proposed Action:
The proposed action will approve the renewal of the charter for Aspire Antonio Maria Lugo Academy, beginning July 1, 2014 until June 30, 2019 and provide an approximate total of 185 students served in grades K-5 in year 1 and grow to serve 420 students in grades K-5 by year 5.

II. Summary Description of Current District Practice:
Charter schools are schools of choice by legislation and are open to any student in the State of California. Charter schools are granted single charter status for a maximum of five (5) years. It should be noted, however, that although State legislation allows students to attend a charter school from any area in the state, the Los Angeles Unified School District (LAUSD) is under Court Order, Crawford v. LAUSD, which applies to all schools within or chartered through the LAUSD. Any modifications to the Court-Ordered Integration Program must first be approved by Student Integration Services.

III. Proposed Change:
The approval of this renewal of the charter would grant the charter of Aspire Antonio Maria Lugo Academy for five (5) years beginning July 1, 2014 until June 30, 2019.

IV. Effects of This Proposal:
The Los Angeles Unified School District (LAUSD) does not guarantee availability of Court-ordered Integration funding. The charter school will be responsible for maintaining the Court Order and providing information requested by the LAUSD as set forth in the Charter petition. Modifications or school decisions cannot negatively impact or cause additional costs to the Court-ordered Integration budget.

V. Analyze the Impact of This Proposal on Integration, Desegregation, Re-segregation and/or Segregation:
If the Charter goals are met, there should be positive results on the five (5) Harms of Racial Isolation which are low academic achievement, low self-esteem, lack of access to post-secondary opportunities, interracial hostility and intolerance, and overcrowded conditions. The Court-ordered Integration Program for participating students will operate under various Court Orders for schools within the Los Angeles Unified School District. Any modification of the Court-ordered Integration Program must first be approved by Student Integration Services.

VI. If proposed action affects negatively any desegregation program, list other option(s) identified:
If the District Court-ordered Integration Guidelines are followed, there will not be a negative effect on the District’s Court-ordered Integration Program.

PREPARED BY:  
RENÉ CARDONA  
Specialist  
Charter Schools Division

APPROVED BY:  
ESTELLE SHEPHERD LUCKETT  
Director  
Student Integration Services

Page 1 of 1  
Board of Education  
February 11, 2014
The Charter Schools Division has analyzed the performance of the charter school using established criteria in the following four areas:

I. Student Achievement and Educational Performance
II. Governance and Organizational Management
III. Fiscal Operations
IV. Fulfillment of the Charter’s Educational Program

I. Student Achievement and Educational Performance

First, the Charter Schools Division must confirm whether the charter school has met at least one of the following minimum criteria set forth in Education Code § 47607(b) for schools in operation at least four years:

1. Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school; or
2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years; or
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years; or
4. (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.
   (B) The determination made pursuant to this paragraph shall be based upon all of the following:
      (i). Documented and clear and convincing data.
      (ii). Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.
      (iii). Information submitted by the charter school.

Note: If a charter school has not been in operation for at least four years, this section of Education Code serves as reference. The Charter Schools Division will present findings based on its analysis of the
school’s performance data to date, and of the academic, operational, and fiscal soundness of the charter school based on Charter Schools Division oversight.

Aspire Antonio Maria Lugo Academy has met the minimum statutory requirement as evidenced in the Data Summary Report.

**Student Discipline**

Discipline and expulsion policies used at District schools must comply with the California Education Code. LAUSD charter schools must comply with the provisions related to suspensions and expulsions that are put forth in the Charter Schools Division’s Required Language for Charter Petitions. Aspire Antonio Maria Lugo Academy’s grounds for student suspension and expulsion are aligned with those listed in Education Code Section 48900 et seq. As the data below shows, Aspire Antonio Maria Lugo Academy had 18 suspensions and 0 expulsions for the 2012-13 school year. In 2011-12, the school reported 32 suspensions and 0 expulsions. As of the date of this report, the school reports 1 suspensions and 0 expulsions for the current school year. The school reports that it has recently revised its suspension and expulsion policies and procedures to ensure a more cohesive, clear, and effective process for all stakeholders.

<table>
<thead>
<tr>
<th>SUSPENSION/EXPULSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of School</td>
</tr>
<tr>
<td>Aspire Antonio Maria Lugo Academy</td>
</tr>
</tbody>
</table>

**Special Education**

According to the December 2012 CASEMIS report, Aspire Antonio Maria Lugo Academy enrolled Special Education students at a rate that is reflective of the District average. Aspire Antonio Maria Lugo Academy had a special education enrollment rate of 11%, which was one percentage point higher than the LAUSD Similar Schools from CDE Median (10%). The school is committed to continuing its efforts to identify and serve students with disabilities. Aspire Antonio Maria Lugo Academy has a learning center model for supporting students with disabilities in the general education setting with small group or individualized pull-out support. This hybrid model considers the individualized student need, based on IEP team decision. Related services are provided both in the general education setting and in a pull-out setting, depending on student need. Individualized behavior plans are written in collaboration with the general education staff and implemented and monitored by both general education and special education through weekly meetings and co-planning. The high emphasis on collaboration ensures that students with IEPs make progress in the general education setting.
LOS ANGELES UNIFIED SCHOOL DISTRICT  
Board of Education Report

<table>
<thead>
<tr>
<th>OCT 2012 Enroll #</th>
<th>Sp Ed Enroll #</th>
<th>Sp Ed Enroll %</th>
<th>% High Incidence</th>
<th>% Low Incidence</th>
<th># ALT</th>
<th># DB</th>
<th># DEAF</th>
<th># ED</th>
<th># EMED</th>
<th># FQH</th>
<th># MR</th>
<th># OII*</th>
<th># OII</th>
<th># SLD*</th>
<th># SLD*</th>
<th># TBI</th>
<th># VI</th>
</tr>
</thead>
<tbody>
<tr>
<td>235</td>
<td>26</td>
<td>11%</td>
<td>10%</td>
<td>1%</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>13</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

English Learners

The tables below represent the number of English Leaners identified, served and reclassified by Aspire Antonio Maria Lugo Academy Charter School. The school’s October 2012 (CBEDS) English learner population of 45% was lower than the LAUSD Similar Schools from CDE Median of 50%. The school’s 2012-13 reclassification rate of 34% was higher than the LAUSD Similar Schools from CDE Median rate of 12%.

<table>
<thead>
<tr>
<th>ESC</th>
<th>BD</th>
<th>Loc Code</th>
<th>School</th>
<th>Total Enroll</th>
<th>% EL</th>
<th>% GATE</th>
<th>% Latino</th>
<th>% White</th>
<th>% Asian</th>
<th>% Fill</th>
</tr>
</thead>
<tbody>
<tr>
<td>XR</td>
<td>5</td>
<td>2120</td>
<td>Aspire Antonio Maria Lugo Academy</td>
<td>235</td>
<td>96%</td>
<td>0%</td>
<td>45%</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

RECLASSIFICATION

<table>
<thead>
<tr>
<th>2012-13</th>
<th>2011-12 # EL</th>
<th>2012-13 # Reclassified</th>
<th>2012-13 Reclassification Rate</th>
<th>Change from Prior Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Antonio Maria Lugo Academy</td>
<td>105</td>
<td>36</td>
<td>34.3%</td>
<td>0.5%</td>
</tr>
<tr>
<td>LAUSD Similar Schools from CDE Median</td>
<td>282</td>
<td>39</td>
<td>11.5%</td>
<td>-4.8%</td>
</tr>
<tr>
<td>Resident Schools Median</td>
<td>528</td>
<td>49</td>
<td>13.9%</td>
<td>-0.5%</td>
</tr>
<tr>
<td>Comparison Schools in Charter Median</td>
<td>405</td>
<td>73</td>
<td>12.5%</td>
<td>-1.8%</td>
</tr>
<tr>
<td>District</td>
<td>180,618</td>
<td>24,697</td>
<td>13.7%</td>
<td>-1.7%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2011-12</th>
<th>2010-11 # EL</th>
<th>2011-12 # Reclassified</th>
<th>2011-12 Reclassification Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Antonio Maria Lugo Academy</td>
<td>139</td>
<td>47</td>
<td>33.8%</td>
</tr>
<tr>
<td>LAUSD Similar Schools from CDE Median</td>
<td>289</td>
<td>50</td>
<td>16.3%</td>
</tr>
<tr>
<td>Resident Schools Median</td>
<td>501</td>
<td>58</td>
<td>14.4%</td>
</tr>
<tr>
<td>Comparison Schools in Charter Median</td>
<td>501</td>
<td>102</td>
<td>14.3%</td>
</tr>
<tr>
<td>District</td>
<td>194,904</td>
<td>29,956</td>
<td>15.4%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2010-11</th>
<th>2009-10 # EL</th>
<th>2010-11 # Reclassified</th>
<th>2010-11 Reclassification Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Antonio Maria Lugo Academy</td>
<td>119</td>
<td>12</td>
<td>10.1%</td>
</tr>
<tr>
<td>LAUSD Similar Schools from CDE Median</td>
<td>297</td>
<td>37</td>
<td>12.8%</td>
</tr>
<tr>
<td>Resident Schools Median</td>
<td>543</td>
<td>73</td>
<td>19.0%</td>
</tr>
<tr>
<td>Comparison Schools in Charter Median</td>
<td>533</td>
<td>68</td>
<td>14.0%</td>
</tr>
<tr>
<td>District</td>
<td>205,312</td>
<td>26,080</td>
<td>12.7%</td>
</tr>
</tbody>
</table>
EVALUATION VISIT RESULTS

Following are definitions of the School Performance Evaluation ratings:

An evaluation of **accomplished** applies to operations characterized, overall, by strengths. There are very few weaknesses and any that do exist do not diminish the students' experience. While an evaluation of accomplished represents a high standard of operating, it is a standard that should be achievable in all schools. It implies that it is fully appropriate for a school to continue its operations without significant adjustment. The school would always be expected, however, to continue to take advantage of opportunities to improve.

An evaluation of **proficient** applies to operations characterized by a number of strengths. There are weaknesses, but neither singly nor collectively do these have a significant adverse impact on the student experience. An evaluation of proficient may be arrived at in a number of circumstances. The school may provide a productive student experience, but it may not provide consistent challenge for students. Typically operations will be characterized by strengths, but one or more weaknesses reduce the overall quality of the student experience.

An evaluation of **developing** applies to operations characterized by weaknesses which require remedial action by the school. Some, if not all, staff responsible for the operation evaluated as inadequate require support from senior managers in planning and carrying out the necessary actions to effect improvement. There may be some strengths, but these are overshadowed by the impact of the weaknesses.

An evaluation of **unsatisfactory** applies when there are major weaknesses in operation that require immediate remedial action on the part of the school. The student experience is at risk in significant respects. In almost all cases, staff responsible for operations evaluated unsatisfactory will require support from senior managers in planning and carrying out the necessary actions to effect improvement. This may involve working alongside effective peers in or beyond the school.

Charter Schools Division oversight deemed Student Achievement and Educational Performance at the school to be Accomplished.

Areas of particular strength include:

- The 2012-13 school-wide API of 835 exceeds the LAUSD Similar Schools from CDE Median (792), the Resident Schools Median (775), and the Petition Comparison Schools Median (749).
- The 2012-13 CST Proficient & Advanced rates in ELA and Math far exceed that of LAUSD Similar Schools Median, Resident Schools Median, and Comparison Schools Median.
- The school achieved a 2012-13 Similar Schools Rank of 9 and a State Rank of 6.
- The school’s 3-year (2010-2013) AGT result of 5.8 in ELA is Far Above the Predicted Growth and Significantly more than 4.
- The 3-year (2010-2013) AGT result of 3.5 in Math are Within the Range of Predicted Growth and not significantly different from the District Average.
- The 2013 AGT in ELA (5.4) was Far Above Predicted Growth and significantly more than 4.
The 2013 AGT in Math (3.3) is Within the Range of Predicted Growth and not significantly different from the District Average.

The school’s 2012-13 reclassification rate of 34.3% was higher than the LAUSD Similar Schools from CDE Median rate of 11.5% and exceeds the Resident Schools Median reclassification rate of 13.9%. Aspire Antonio Maria Lugo Academy’s rate also exceed LAUSD’s rate of 13.7%.

During the 2012-13 academic year the school met all AYP Criteria and met all Subgroup API Growth Targets.

Areas recommended for improvement include:

- The school’s SPF classification declined from “Achieving” to “Service and Support” due to the school having a greater than or equal to 0.5% suspension rate of the student body during the 2012-13 academic year. Leadership at the school is encouraged to continue to develop and implement any supports and interventions deemed necessary to decrease the number of students suspended and/or expelled.

II. Governance and Organizational Management

Charter Schools Division oversight deemed Governance and Organizational Management at the school to be Proficient.

Areas of particular strength include:

- The Governing Board consistently complies with the Brown Act and the Charter Management Organization (CMO) has further improved their website to provide internal and external stakeholders with “Board of Directors Key Documents” (Bylaws; Articles of Incorporation; 2013-2014 Board Calendar; and the Conflict of Interest Policy). Board Meeting Minutes and Agendas are also shared on the website for public viewing. Aspire leadership is working to develop a means to begin to translate the aforementioned documents in order to continue to communicate effectively with stakeholders who may need the documents in Spanish.

- The Governing Board has effective communication systems for sharing information with parents. Parents are given accessible and relevant information about student progress through regularly scheduled conferences and assessment letters. Parent’s Right to Know letters are sent out yearly. Aspire provides regular newsletters to disseminate information to external stakeholders.

Areas recommended for improvement include:

- Given the large number of monolingual (Spanish) speaking parents whose children attend Aspire Public Schools in Los Angele, the CMO is highly encouraged to continue to work in developing a means by which to begin to translate additional Governing Board meeting documents outside of the agenda and minutes in order to further communicate effectively with stakeholders who may need further support in Spanish.

III. Fiscal Operations

Charter Schools Division oversight deemed Fiscal Operations at the school to be Proficient.
Areas of particular strength:
- Per 2012/13 Audit:
  o Net assets are positive and trending upwards with a current increase of $112,591.
    - Net assets:
      ♦ 2009-10: $185,877
      ♦ 2010-11: $299,149
      ♦ 2011-12: $296,885
      ♦ 2012-13: $409,476

Areas recommended for improvement include:
- Per 2012/13 Audit:
  o Cash reserve is -1.07% and below the recommended 5%; Cash and cash equivalent per audit is ($22,049).
  o Cash flow projection by school not available, only organization wide cash flow projections.
  o Audit finding
    - Aspire’s oversight and review controls allowed revenue from a private grant and rent expense and liability to be recorded incorrectly. Aspire has put in place corrections.

Additional Information:
- Per 2012/13 audit:
  o Net Income is now positive and has increased $108,162.
  o Unmodified (unqualified) opinion.
  o No material weaknesses.

IV. Fulfillment of the Charter’s Educational Program

Charter Schools Division oversight deemed Fulfillment of the Charter’s Educational Program at the school to be Proficient.

Areas of particular strength include:
- Aspire’s Cycle of Inquiry and the use of Schoolzilla provides teachers with crucial student information. Weekly structured data discussions and multiple meetings monthly with the L.A. Regional and Oakland Home Office devoted to data talks allow leadership, teachers and support staff to analyze school-site data. Data is analyzed by grade-level teams with the support of the “School Data Driver” (a specific teacher that supports the work of data analysis) in order to attain Aspire benchmarks, District benchmarks and State assessment targets. Data analysis informs planning, instruction and the professional development of the school. Students are identified and appropriate pull-in and push-out supports and interventions are provided to students by teachers and the school’s Intervention Specialist.
- Teachers new to Aspire participate in 1-2 weeks of summer training to build classroom management skills, support them in planning meaningful and engaging lessons, and practice specific Aspire Instructional Guidelines that are the core of Aspire’s educational program.
- The innovative features of the instructional program and pedagogical strategies of academic discourse (accountable talk), project-based instruction, flexible supports, diagnostic assessments,
cycle of inquiry as outlined in the charter are leading to a positive impact on the academic achievement of students attending Aspire Antonio Maria Lugo Academy.

Areas noted for improvement include:
- During the 2012-13 academic year, Aspire Antonio Maria Lugo Academy’s Suspension Rate exceeded that of the Similar Schools and Resident Schools. The school is encouraged to use monthly data analysis, targeted tiered intervention, and the Discipline Foundation Policy, as well as technical support from the Regional and Home office in order to reduce the school-wide and single student suspension rate.
February 25, 2014

Los Angeles County Board of Education (LACOE)
9300 Imperial Highway
Downey, CA 90242

Re: Aspire Antonio Maria Lugo Academy

Dear LACOE:

This letter sets forth the rebuttal argument of Aspire Public Schools (Aspire) concerning the denial by Los Angeles Unified School District (LAUSD) of its Aspire Antonio Maria Lugo Academy charter renewal petition.

Education Code Section 47605(b) states: “In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.”

This same code section goes to state:

“The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth the specific facts to support...the following findings: (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.”

As explained below, LAUSD did not pay deference to the legal requirements set forth above, both substantively and procedurally, and on that basis Aspire contends that the denial of the petition does not comport with California law.

First, Aspire met all requirements set forth by California law for renewals of charter schools. Education Code Section 47607 set forth those requirements, including meeting or exceeding all API growth targets and achieving satisfactory decile status in order to earn renewal. Aspire is well known as one of California’s (and the nation’s) leading low-income school systems in terms of academic performance in traditionally underserved communities, including those located within the boundaries of LAUSD (and LACOE).
Next, these renewal standards include those specified in Education Code Section 47605, as cited above (see Education Code Section 47607(a)(2)). These requirements include “written factual findings” to show an alleged “unsound educational practice.” This is lacking here; on February 12, 2014 LAUSD sent a short letter to lead petitioner informing her in conclusory terms of the denial and which contained no findings of fact (see pg. 1 of SECTION I). This was followed up with further correspondence dated February 21, 2014 which attached a board report, transcripts from the board proceeding, and a “board report and informative (sic).” While the board report shows clearly that the LAUSD Board denied the renewal petition despite a staff recommendation for approval, they do not constitute “written factual findings” and similarly neither do the transcripts from the board proceeding. The remaining portion of this correspondence responds to LAUSD Board Report 232 – 13/14 (beginning on pg. 47 of SECTION I).

The Board report does not reflect the current status of the law. California law allows for the formation of all-charter SELPAs out of their geographic region and allows SELPAs to design service structures specifically for SELPAs. Furthermore, LAUSD’s reliance on Education Code Section 56195.3(b) is misplaced and supports Aspire’s position, as the subject school is currently a rightful participant in the El Dorado County Office of Education (EDCOE) out-of-geographic area charter school SELPA and would actually be required to give one-year notice before any transition could take place (even if required by law. According to the January 3, 2013 LAO Overview of Special Education in California report, the number of charter schools participating in the EDCOE charter SELPA grew from 23 in 2008-09 to 138 schools in 2011-2012. Furthermore, LAUSD’s contentions concerning the applicable modified consent decree are inapplicable as the renewal petition clearly states that Aspire will comply with all necessary requirements associated with the decree. Finally, LAUSD’s position concerning suspensions, expulsions, or recommendations to parents is not consistent with law, for otherwise California law would not allow for the formation of such all-charter SELPAs nor would there be 138 schools to serve their students through services offered by EDCOE, as authorized by law.

Please let us know if we can be of any further assistance. Thank you for your attention to this matter and for your consideration of the above.

Very truly yours,

TOMISLAV PERAIC, General Counsel

Encs: as stated
Aspire Antonio Maria Lugo Academy Charter: Assurances and Affirmations

The Aspire Antonio Maria Lugo Academy ("the Charter School") shall:

1. Be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

2. Not charge tuition. EC 47605(d)(1)

3. Not discriminate against any student on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.

4. Admit all pupils who wish to attend the Charter School, EC 47605(d)(2)(A)

5. Determine attendance by a public random drawing, if the number of pupils who wish to attend the Charter School exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the District. EC 47605(d)(2)(B)

6. If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

7. Meet all statewide standards and conduct the pupil assessments required pursuant to Educ. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC 47605(c)(1)

8. Consult, on a regular basis, with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]

NOTE: This charter contains specific “District Required Language” (DRL), where appropriate and consistent with State and Federal law, including the Assurances and Affirmations above. The DRL should be highlighted in gray within each element or section. The charter includes a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the charter.

The Charter School will also follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:
9. The Charter School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]

10. The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]

11. Aspire Public Schools shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]

12. The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C).

13. Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.

14. Not require any child to attend the Charter School nor any employee to work at the charter school.

15. The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.

16. The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]

17. The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. California Education Code Section 47605(l)l]
18. The Charter School shall at all times maintain all necessary and appropriate insurance coverage.

19. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]

20. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]

21. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]

22. The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.

23. The Charter School shall comply with the Public Records Act.


26. The Charter School shall comply with the Political Reform Act.

27. The Charter School shall adhere to all applicable provisions of federal law relating to students who are English learners, including Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974.

28. The Charter School shall follow any and all other federal, state, and local laws and regulations that pertain to the petitioner or the operation of the Charter School.

February 28, 2014

Kate Ford

Los Angeles Area Superintendent,
Aspire Public Schools
Lead Petitioner
Aspire Antonio Maria Lugo Academy

RENEWAL CHARTER for the term July 1, 2014 through June 30, 2019

SUBMITTED NOVEMBER 2013

CDS code: 19-64733-0109660

Original Charter Approved by LAUSD on
June 24, 2003

Charter Renewal Approved
June 9, 2009

Material Revision Approved
April 17, 2012
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Aspire Antonio Maria Lugo Academy Charter: Assurances and Affirmations

The Aspire Antonio Maria Lugo Academy ("the Charter School") shall:

1. Be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

2. Not charge tuition. EC 47605(d)(1)

3. Not discriminate against any student on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.

4. Admit all pupils who wish to attend the Charter School, EC 47605(d)(2)(A)

5. Determine attendance by a public random drawing, if the number of pupils who wish to attend the Charter School exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the District. EC 47605(d)(2)(B)

6. If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

7. Meet all statewide standards and conduct the pupil assessments required pursuant to Educ. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC 47605(c)(1)

8. Consult, on a regular basis, with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]

NOTE: This charter contains specific "District Required Language" (DRL), where appropriate and consistent with State and Federal law, including the Assurances and Affirmations above. The DRL should be highlighted in gray within each element or section. The charter includes a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the charter.

The Charter School will also follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

9. The Charter School shall meet or exceed the legally required minimum of school days.[Ref. Title 5 California Code of Regulations Section 11960]
10. The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]

11. Aspire Public Schools shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]

12. The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C).

13. Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.

14. Not require any child to attend the Charter School nor any employee to work at the charter school.

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17. The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. California Education Code Section 47605(l)]

18. The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
19. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]

20. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]

21. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]

22. The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.

23. The Charter School shall comply with the Public Records Act.


26. The Charter School shall comply with the Political Reform Act.

27. The Charter School shall adhere to all applicable provisions of federal law relating to students who are English learners, including Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974.

28. The Charter School shall follow any and all other federal, state, and local laws and regulations that pertain to the petitioner or the operation of the Charter School

November 6th, 2013

Elise Darwish

Chief Academic Officer and
Interim Los Angeles Area Superintendent,
Aspire Public Schools
Lead Petitioner
INTRODUCTION

Aspire Public Schools ("Aspire") hereby respectfully submits this charter petition on behalf of Aspire Antonio Maria Lugo Academy ("the Charter School").

Aspire was founded in 1998 by experienced educators and entrepreneurs to enrich students’ lives and to contribute to innovation in local public school systems. Aspire currently operates charter schools at 37 different campuses in various school districts in the states of California. and Tennessee. Aspire is a national non-profit 501(c)(3) public benefit corporation with a vision that "every student is prepared to earn a college degree. Aspire’s mission is to open and operate small, high-quality charter schools in low-income neighborhoods, in order to:

- Increase the academic performance of underserved students
- Develop effective educators
- Share successful practices with forward-thinking educators, and
- Catalyze change in public schools

The Charter School has been chartered in the Los Angeles Unified School District ("District" or "LAUSD") under the auspices of Aspire since 2005. The Charter School has had an excellent academic record including meeting (or exceeding) its State API growth targets.

The Charter School’s present charter term is set to expire on June 30, 2014. The Charter School complies with the legal requirements for renewal as set forth in Education Code § 47607(b) as it has:

1. Attained (or exceeded) its Academic Performance Index ("API") growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school;

<table>
<thead>
<tr>
<th>Year</th>
<th>API Growth Score</th>
<th>API Growth Target</th>
<th>Actual Growth</th>
<th>Met Growth Target Schoolwide and Subgroups</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>835</td>
<td></td>
<td>+ 14</td>
<td>Yes</td>
</tr>
<tr>
<td>2012</td>
<td>821</td>
<td></td>
<td>- 22</td>
<td>Yes</td>
</tr>
<tr>
<td>2011</td>
<td>847</td>
<td></td>
<td>+ 1</td>
<td>Yes</td>
</tr>
<tr>
<td>2010</td>
<td>846</td>
<td>790</td>
<td>+21</td>
<td>Yes</td>
</tr>
<tr>
<td>2009</td>
<td>825</td>
<td></td>
<td>+ 39</td>
<td>Yes</td>
</tr>
</tbody>
</table>

2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years;

<table>
<thead>
<tr>
<th>Year</th>
<th>Statewide Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>6</td>
</tr>
<tr>
<td>2011</td>
<td>7</td>
</tr>
<tr>
<td>2010</td>
<td>8</td>
</tr>
<tr>
<td>2009</td>
<td>7</td>
</tr>
</tbody>
</table>
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Similar Schools Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>9</td>
</tr>
<tr>
<td>2011</td>
<td>10</td>
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<tr>
<td>2010</td>
<td>10</td>
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<tr>
<td>2009</td>
<td>10</td>
</tr>
<tr>
<td>2008</td>
<td>10</td>
</tr>
</tbody>
</table>

(See: http://dq.cde.ca.gov/dataquest/ for further information regarding the Charter School's academic performance)

The Charter School has done a financial analysis and projections that support continued operation of a K-6 school in the District on a financially sound basis.

The Charter School is located at 2565 East 58th Street, Huntington Park, California, where it leases the facility in which operations are conducted.

In accordance with the Charter Schools Act of 1992, Aspire hereby respectfully petitions the Los Angeles Unified School District ("the District") to renew the charter for Aspire Antonio Maria Lugo Academy for a five-year period, from July 1, 2014 to June 30, 2019.

The Charter Schools Act of 1992 states that:

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

(a) Improve pupil learning.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

(c) Encourage the use of different and innovative teaching methods.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the Charter School site.

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019
(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

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

The Charter School has made and will continue to make important contributions to the legislative goals outlined above. By granting this charter renewal, the District will help fulfill the intent of the Charter Schools Act of 1992 ("Charter Schools Act"), while providing students in the District with a small school option.

Element 1: The Educational Program

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

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

A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

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

GENERAL INFORMATION

- The contact person for the Charter School is Sandra Kim.
- The contact address for the Charter School is 2565 East 58th Street, Huntington Park, CA 90255.
- The contact phone number for the Charter School is (323) 585-1153.
- The proposed address or target community of the Charter School is 2565 East 58th Street, Huntington Park, which is located in Los Angeles Unified School District ("LAUSD" or "District") Board District 5 and Educational Service Center South.
- The term of this charter shall be from July 1, 2014 to June 30, 2019.
- The grade configuration of Charter School is K-6. (Note: Currently the Charter
School is co-located with another Aspire school. This is temporary and we are actively seeking a permanent facility for the Charter School. The Charter School will serve grades K-5 until we secure an alternate facility that can accommodate grades K-6.

- The number of students in the first year of the renewal charter term will be 184.
- The grade level(s) of the students in the first year or the renewal charter term will be K-5.
- The scheduled opening date of Charter School is August 13th, 2014.
- The admission requirements include:
  - Completion of a Student Interest Form for each child who is interested in attending the Charter School
  - The enrollment capacity is 420 (assuming a larger facility). (Enrollment capacity is defined as all students who are enrolled in Charter School regardless of student residency).
- If space is available, traveling students will have the option to attend.
- The type of instructional calendar will be a modified traditional calendar.

**ACADEMIC CALENDAR AND SCHEDULES**

The Charter School shall offer, at a minimum, the number of minutes of instruction set forth in California Education Code § 47612.5, and the number of school days required by Cal. Admin. Code, tit. 5, § 11960.

*Instructional Minutes Calculator*

**TRANSITIONAL KINDERGARTEN**

The Charter School shall comply with all applicable requirements regarding transitional kindergarten.

The Charter School’s academic calendar and general bell schedule can be found below, as well as the instructional minutes calculator and examples of individual teacher schedules.

*Academic Calendar*
### Bell Schedule

<table>
<thead>
<tr>
<th>Breakfast Schedule</th>
<th>7:15am – 7:35am</th>
</tr>
</thead>
</table>

### Monday-Friday Recess Schedule

| 9:10-10:05 | Grades K/1/2 Recess |
| 9:30-9:45 | Grade 3 |
| 9:50-10:05 | Grades 4/5 Recess |

### Lunch Schedule

| 11:00-11:20 | Grades K/1/2 Recess |
| 11:20-11:40 | Grades K/1/2 Eat |
| 11:00-11:20 | Grades 3 Eat |
| 11:20-11:40 | Grade 3 plays |
| 11:45-12:05 | Grade 4 eats |
| 12:05-12:25 | Grade 4 plays |
| 11:45-12:04 | Grade 5 eats |
Monday – Thursday: 2:45pm dismissal  
Friday: 12:45pm dismissal

**Instructional Minutes Calculator**

<table>
<thead>
<tr>
<th>Grades</th>
<th>Graded Offered</th>
<th>Number of Regular Days</th>
<th>Number of Minutes Per Regular Day</th>
<th>Number of Early Dismissal Days</th>
<th>Number of Minutes Per Early Dismissal Day</th>
<th>Number of Minimum Days</th>
<th>Number of Minutes Per Minimum Day</th>
<th>Number of [Other] Days</th>
<th>Number of Minutes Per [Other] Day</th>
<th>Total Number of Instr. Days</th>
<th>Minutes Req'd Per State Law</th>
<th>Total Number of Instr. Minutes</th>
<th>Number of Instr. Minutes Above/Below State Req’t.</th>
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<td>131</td>
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</table>

**Example Individual Teacher Schedules**

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morning Meeting</td>
<td>10</td>
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<tr>
<td>Phonics</td>
<td>40</td>
</tr>
<tr>
<td>Reader's Workshop</td>
<td>30</td>
</tr>
<tr>
<td>Recess</td>
<td>15</td>
</tr>
<tr>
<td>Independent Reading</td>
<td>15</td>
</tr>
<tr>
<td>Literacy Workstations</td>
<td>60</td>
</tr>
<tr>
<td>Fact Fluency</td>
<td>7</td>
</tr>
<tr>
<td>Lunch</td>
<td>40</td>
</tr>
<tr>
<td>Writing Mini Lesson</td>
<td>15</td>
</tr>
<tr>
<td>Time</td>
<td>Schedule</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>12:00-12:40</td>
<td>Independent Writing</td>
</tr>
<tr>
<td>12:40-12:50</td>
<td>Number Strings/Word Problems</td>
</tr>
<tr>
<td>12:50-12:55</td>
<td>Math Calendar/Mountain Math</td>
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<tr>
<td>1:00-1:45</td>
<td>Specials</td>
</tr>
<tr>
<td>1:50-2:05</td>
<td>Math Mini Lesson</td>
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<tr>
<td>2:05-2:35</td>
<td>Math Workstations</td>
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<tr>
<td>2:35-2:40</td>
<td>Pack Up</td>
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</tbody>
</table>

**Schedule**

Grade: Kindergarten

<table>
<thead>
<tr>
<th>Time</th>
<th>Schedule</th>
<th>Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:45-8:00</td>
<td>Town Hall</td>
<td>15</td>
</tr>
<tr>
<td>8:00-8:25</td>
<td>Phonics</td>
<td>25</td>
</tr>
<tr>
<td>8:30-9:10</td>
<td>Specials</td>
<td>30</td>
</tr>
<tr>
<td>9:10-9:25</td>
<td>Recess</td>
<td>15</td>
</tr>
<tr>
<td>9:30-9:40</td>
<td>Math Calendar</td>
<td>10</td>
</tr>
<tr>
<td>9:40-9:50</td>
<td>Fact Fluency</td>
<td>10</td>
</tr>
<tr>
<td>9:50-10:55</td>
<td>Literacy Workstations/Guided Reading</td>
<td>65</td>
</tr>
<tr>
<td>11:00-11:40</td>
<td>Lunch</td>
<td>40</td>
</tr>
<tr>
<td>11:45-12:05</td>
<td>Buddy Reading</td>
<td>20</td>
</tr>
<tr>
<td>12:05-12:30</td>
<td>Interdisciplinary Unit</td>
<td>25</td>
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<tr>
<td>12:30-12:40</td>
<td>Treasure Chest/Pack Up</td>
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</tbody>
</table>

Grade: 1

<table>
<thead>
<tr>
<th>Time</th>
<th>Schedule</th>
<th>Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:45-7:55</td>
<td>University Hall</td>
<td>10</td>
</tr>
<tr>
<td>7:55-8:05</td>
<td>Morning Routine &amp; Meeting</td>
<td>10</td>
</tr>
<tr>
<td>8:05-8:10</td>
<td>Mad Minute</td>
<td>5</td>
</tr>
<tr>
<td>8:10-8:20</td>
<td>Number Strings</td>
<td>10</td>
</tr>
<tr>
<td>8:20-9:05</td>
<td>Math Lesson &amp; Workstations</td>
<td>45</td>
</tr>
<tr>
<td>Time</td>
<td>Schedule</td>
<td>Min</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>9:05-9:25</td>
<td>Recess</td>
<td>20</td>
</tr>
<tr>
<td>9:30-10:00</td>
<td>Phonics</td>
<td>30</td>
</tr>
<tr>
<td>10:00-11:00</td>
<td>ELA Workstations</td>
<td>60</td>
</tr>
<tr>
<td>11:00-11:40</td>
<td>Lunch</td>
<td>40</td>
</tr>
<tr>
<td>11:45-12:30</td>
<td>Writer's Workshop</td>
<td>45</td>
</tr>
<tr>
<td>12:30-1:15</td>
<td>Specials</td>
<td>45</td>
</tr>
<tr>
<td>1:15-1:45</td>
<td>Reader's Workshop</td>
<td>30</td>
</tr>
<tr>
<td>1:45-2:30</td>
<td>Content Based Learning</td>
<td>45</td>
</tr>
<tr>
<td>2:30-2:40</td>
<td>Pack Up</td>
<td>10</td>
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<tr>
<td>2:40-3:00</td>
<td>Dismissal</td>
<td>15</td>
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### Schedule

<table>
<thead>
<tr>
<th>Grade: 2nd</th>
<th>Mon, Tues, Thur</th>
<th>Schedule</th>
<th>Min</th>
</tr>
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<tbody>
<tr>
<td>Time</td>
<td>Schedule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8:00-8:45</td>
<td>Prep Specials: Science, P.E., Art, P.E.</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>8:45-8:55</td>
<td>RJ/H.W. Do Now</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>8:55-9:05</td>
<td>Read aloud</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>9:05-9:25</td>
<td>Reading Mini</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>9:25-9:45</td>
<td>ELA Workstations/Guided Reading</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>9:50-10:05</td>
<td>Recess</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>10:05-10:45</td>
<td>ELA W.S. cont.</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>11:05-11:25</td>
<td>Phonics/HFW (extend by 20)</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>11:25-11:45</td>
<td>Independent Reading</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>11:45-12:25</td>
<td>Lunch</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>12:25-12:45</td>
<td>Shared Reading/Written Response</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>12:45-1:05</td>
<td>Math Mini</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>1:05-1:35</td>
<td>Math W.S.</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>1:35-1:50</td>
<td>Number Strings/SLS (in winter launch # strings/model drawing)</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Time</td>
<td>Schedule</td>
<td>Min</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>1:50-2:00</td>
<td>Roll &amp; Write/Fact Fluency (W &amp; F) 2x a week</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>2:00-2:15</td>
<td>Writing Mini</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>2:15-2:35</td>
<td>Independent Writing</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>2:35-2:40</td>
<td>RJ/Pack-Up</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grade: 3rd</th>
<th>Tues-Thur.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Time</td>
<td>Schedule</td>
<td>Min</td>
</tr>
<tr>
<td>7:45 am</td>
<td>Welcome/attendance/morning meeting</td>
<td>10min</td>
</tr>
<tr>
<td>8:00-8:45 am</td>
<td>Specials (Wed. afternoons)</td>
<td>45min</td>
</tr>
<tr>
<td>8:45-9:05 am</td>
<td>Daily Review</td>
<td>15min</td>
</tr>
<tr>
<td>9:05-9:20 am</td>
<td>Number Strings</td>
<td>15min</td>
</tr>
<tr>
<td>9:20-9:26 am</td>
<td>Fact Fluency</td>
<td>6min</td>
</tr>
<tr>
<td>9:30-9:45</td>
<td>RECESS</td>
<td></td>
</tr>
<tr>
<td>9:50-10:10</td>
<td>Math Mini</td>
<td>20min</td>
</tr>
<tr>
<td>10:10-10:40</td>
<td>Math Workstations</td>
<td>30min</td>
</tr>
<tr>
<td>10:40-11:00am</td>
<td>ELA Chat/convention rule!</td>
<td>20min</td>
</tr>
<tr>
<td>11:00-11:40</td>
<td>Lunch</td>
<td>40min</td>
</tr>
<tr>
<td>11:45-11:55</td>
<td>Extending readers workshop/transition Word Work (Fridays, only)</td>
<td>10min</td>
</tr>
<tr>
<td>11:55-12:25</td>
<td>Reader’s Workshop (Read Aloud/Mini)</td>
<td>30min</td>
</tr>
<tr>
<td>12:25-12:45</td>
<td>Readers workshop cont..(Independent Reading)</td>
<td>20min</td>
</tr>
<tr>
<td>12:45-12:55</td>
<td>Shared Reading (M/W/F)</td>
<td>10min</td>
</tr>
<tr>
<td></td>
<td>Bathroom break (T/Th) 12:45 – Dismissal (F)</td>
<td></td>
</tr>
<tr>
<td>12:55-1:55</td>
<td>Literacy Stations</td>
<td>60mins</td>
</tr>
<tr>
<td>1:50-2:00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2:00-2:40</td>
<td>Writer’s Workshop</td>
<td>40min</td>
</tr>
<tr>
<td>2:45</td>
<td></td>
<td>5min</td>
</tr>
<tr>
<td>Time</td>
<td>Schedule</td>
<td>Min</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>7:50-7:55</td>
<td>Agenda/ settle in (idiom of the week)</td>
<td>5 min</td>
</tr>
<tr>
<td>7:55-8:10</td>
<td>Daily Review</td>
<td>15 min</td>
</tr>
<tr>
<td>8:10-8:30</td>
<td>Math mini-lesson</td>
<td>20 min</td>
</tr>
<tr>
<td>8:30-9:00</td>
<td>Math workstation</td>
<td>30 min</td>
</tr>
<tr>
<td>9:00-9:05</td>
<td>Fact fluency</td>
<td>5 min</td>
</tr>
<tr>
<td>9:05-9:20</td>
<td>Number strings/ SLS/ Math Journaling</td>
<td>15 min</td>
</tr>
<tr>
<td>9:20-9:35</td>
<td>Word work &amp; word play</td>
<td>15 min</td>
</tr>
<tr>
<td>9:35-9:50</td>
<td>ELA Chat</td>
<td>15 min</td>
</tr>
<tr>
<td>9:50-10:05</td>
<td>Recess</td>
<td>15 min</td>
</tr>
<tr>
<td>10:10-10:55</td>
<td>Prep</td>
<td>45 min</td>
</tr>
<tr>
<td>11:00-11:45</td>
<td>Writing workshop</td>
<td>45 min</td>
</tr>
<tr>
<td>11:45-12:25</td>
<td>Lunch</td>
<td>40 min</td>
</tr>
<tr>
<td>12:30-12:40</td>
<td>Read Aloud with DRTA strategies</td>
<td>10 min</td>
</tr>
<tr>
<td>12:40-1:00</td>
<td>Reading Mini</td>
<td>20 min</td>
</tr>
<tr>
<td>1:00-1:20</td>
<td>Independent Reading</td>
<td>20 mins</td>
</tr>
<tr>
<td>1:20-2:20</td>
<td>ELA workstations</td>
<td>60 min</td>
</tr>
<tr>
<td>2:20-2:40</td>
<td>Shared Reading &amp; written response to text</td>
<td>20 min</td>
</tr>
<tr>
<td>2:40-2:45</td>
<td>Clean up and Pack up for Dismissal</td>
<td>5 mins</td>
</tr>
</tbody>
</table>

### Schedule

**Grade: 5  Mon-Thur**

<table>
<thead>
<tr>
<th>Time</th>
<th>Schedule</th>
<th>Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:50-7:55</td>
<td>Agenda/ settle in (idiom of the week)</td>
<td>5 min</td>
</tr>
<tr>
<td>7:55-8:10</td>
<td>Daily Review</td>
<td>15 min</td>
</tr>
<tr>
<td>8:10-8:40</td>
<td>Math mini-lesson</td>
<td>20 min</td>
</tr>
<tr>
<td>8:40-9:10</td>
<td>Math workstation</td>
<td>30 min</td>
</tr>
<tr>
<td>9:10-9:20</td>
<td>Fact fluency</td>
<td>5 min</td>
</tr>
<tr>
<td>9:20-9:35</td>
<td>Number strings/ SLS/ Math Journaling</td>
<td>15 min</td>
</tr>
<tr>
<td>FRIDAYS</td>
<td>Word work &amp; word play</td>
<td>15 min</td>
</tr>
<tr>
<td>9:35-9:46</td>
<td>ELA Chat</td>
<td>15 min</td>
</tr>
</tbody>
</table>

*Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019*
<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:50-10:05</td>
<td>Recess</td>
<td>15 min</td>
</tr>
<tr>
<td>10:10-10:55</td>
<td>Prep</td>
<td>45 min</td>
</tr>
<tr>
<td></td>
<td>Writing workshop</td>
<td>45 min</td>
</tr>
<tr>
<td>11:00-11:20</td>
<td>Writing mini lesson</td>
<td>20 min</td>
</tr>
<tr>
<td>11:20-11:40</td>
<td>Independent writing with conferences</td>
<td></td>
</tr>
<tr>
<td>11:40-11:45</td>
<td>Share the learning</td>
<td></td>
</tr>
<tr>
<td>11:45-12:25</td>
<td>Lunch</td>
<td>40 min</td>
</tr>
<tr>
<td>12:30-12:40</td>
<td>Read Aloud with DRTA strategies</td>
<td>10 min</td>
</tr>
<tr>
<td>12:40-1:10</td>
<td>Independent Reading</td>
<td>20 min</td>
</tr>
<tr>
<td>1:10-1:35</td>
<td>Shared reading (model and guided strategy with non-fiction)</td>
<td>20 mins</td>
</tr>
<tr>
<td>1:35-2:35</td>
<td>ELA workstations</td>
<td>60 min</td>
</tr>
<tr>
<td>2:35-2:40</td>
<td>Clean up and Pack up for Dismissal</td>
<td>5 mins</td>
</tr>
<tr>
<td>2:40</td>
<td>Dismissal</td>
<td></td>
</tr>
</tbody>
</table>

**LOCAL CONTROL AND ACCOUNTABILITY PLAN**

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School submit a Local Control and Accountability Plan (LCAP) to the Charter Schools Division and the Los Angeles County Superintendent of Schools on or before July 1, 2014. In accordance with California Education Code §§ 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code § 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template to be adopted by the State Board of Education. Charter School shall submit its annual update to the Charter Schools Division on or before July 1 of each applicable year, beginning in 2015. Charter School shall comply with all requirements of Education Code § 47606.5, including but not limited to the requirement that Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.” § 47606.5(e).

**STUDENT POPULATION TO BE SERVED**

The Charter School currently serves approximately 185 students in grades K-5. The Charter School will also offer Transitional Kindergarten.

_Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019_
<table>
<thead>
<tr>
<th>Student Characteristics</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3*</th>
<th>Year 4</th>
<th>Year 5</th>
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</thead>
<tbody>
<tr>
<td>Student Enrollment</td>
<td>185</td>
<td>185</td>
<td>360</td>
<td>420</td>
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<td>Student ADA</td>
<td>175</td>
<td>175</td>
<td>350</td>
<td>408</td>
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<tr>
<td>Grades</td>
<td>K-5</td>
<td>K-5</td>
<td>K-5</td>
<td>K-6</td>
<td>K-6</td>
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<tr>
<td>% Free/Reduced Lunch</td>
<td>93</td>
<td>93</td>
<td>93</td>
<td>93</td>
<td>93</td>
</tr>
<tr>
<td>% of ELL/LEP Students</td>
<td>46</td>
<td>46</td>
<td>46</td>
<td>46</td>
<td>46</td>
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<tr>
<td>Avg. # of Students Per Class</td>
<td>25</td>
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<td>25</td>
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<tr>
<td>K-3;</td>
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<tr>
<td>4-6;</td>
<td>30</td>
<td>30</td>
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<tr>
<td>Number of classrooms</td>
<td>9</td>
<td>9</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
</tbody>
</table>

*assumes new facility that can accommodate full enrollment

Projections of who we will serve

According to demographic data compiled by the California Department of Education ("CDE"), the District enrolled 655,494 students in 2012-13. Of these students, African Americans constitute 9.4% of the students, American Indians 0.4%, Asians 4.0%, Filipinos 2.1%, Latinos 73.6%, Pacific Islanders 0.4%, and Whites 9.2%. During the 2012-13 school year, students who spoke English as a second language made up 26.1% of the District student body. The Charter School seeks to enroll a diverse population of students that reflects these demographics.

Aspire's educational program is based on the instructional needs of our target student profile. Aspire targets the following students:

- Students who are not currently successful in their current core academic subjects;
- Students whose academic or English language learning needs necessitate a small school environment with personalized attention;
- Students whose academic or English language learning needs are not being met in a traditional school environment; and
- Students whose diversity represents their respective communities.

In education, one size does not fit all and Aspire is dedicated to providing students and families throughout the State of California with a small school option that can meet their unique needs.

SURROUNDING SCHOOLS DEMOGRAPHIC AND PERFORMANCE DATA

Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019
<table>
<thead>
<tr>
<th>LAUSD SCHOOLS</th>
<th># of Students</th>
<th>% Students Eligible for Free/Reduced Lunch</th>
<th>% of Special Ed. Students</th>
<th>% of ELL Students</th>
<th>% Major Ethnicity #1</th>
<th>% Major Ethnicity #2</th>
<th>% Major Ethnicity #3</th>
<th>2013 Growth API</th>
<th>2012 State Ranking</th>
<th>2012 Similar Schools Rank</th>
<th>Met School-wide Growth Target?</th>
<th>Met all Subgroup Growth Targets?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middleton St. Elem</td>
<td>1089</td>
<td>81</td>
<td>14</td>
<td>32</td>
<td>99</td>
<td></td>
<td></td>
<td>792</td>
<td>3</td>
<td>6</td>
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<tr>
<td>Miles Ave Elem</td>
<td>770</td>
<td>84</td>
<td>9</td>
<td>49</td>
<td>99</td>
<td></td>
<td></td>
<td>768</td>
<td>5</td>
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<tr>
<td>Pacific Blvd Elem</td>
<td>367</td>
<td>100</td>
<td>32</td>
<td>45</td>
<td>99</td>
<td>1 White</td>
<td></td>
<td>804</td>
<td>6</td>
<td>10</td>
<td>Yes</td>
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<tr>
<td>Huntington Park Elem</td>
<td>364</td>
<td>89</td>
<td>35</td>
<td>35</td>
<td>98</td>
<td>1 White</td>
<td>1 Pac. Isl.</td>
<td>784</td>
<td>4</td>
<td>8</td>
<td>NO</td>
<td>NO</td>
</tr>
</tbody>
</table>

| CHARTER SCHOOLS | | | | | | | | | | | | | |
| Aspire Antonio Ma. Lugo Academy | 234 | 91 | 7 | 47 | 96 | 1 Afr. Am. | | 836 | 6 | 9 | Yes | Yes |
| Aspire TITAN Academy | 288 | 97 | 10 | 43 | 100 | -- | | 838 | 7 | 10 | Yes | Yes |

Source: CDE (http://dq.cde.ca.gov/dataquest/)

COMMUNITY NEED FOR CHARTER SCHOOL

The Charter School provides a safe, high performing alternative for families in the Huntington Park area. Year after year over 90% of our parents answered Yes when asked, "Is your student getting a good education at this school?" We have an extensive waitlist for families who would like to attend the school. The academic success outperforms the neighborhood school with the highest Academic Performance Index by over 35 points when compared to both LAUSD schools and local charter schools. The School is poised to continue its success with a strong leaders and a committed group of educators.
THE SCHOOL’S MISSION

The Charter School’s mission is to provide all students with an exceptional education that will allow them to excel inside and outside the classroom. The Charter School seeks to achieve this mission by offering students a rigorous core curriculum, an outstanding staff, high standards and expectations, extended instructional hours, and personalized learning opportunities. The Charter School will strive to ensure that students are prepared for college and for the 21st century world and workplace by helping them develop important basic skills, thinking skills, and life skills.

THE EDUCATED PERSON IN THE 21ST CENTURY

Aspire recognizes that to be an Educated Person in the 21st century, our students need to have a foundation of knowledge and skills to access this world of ideas, as well as the ability to analyze information, ask good questions and innovate new ideas, and express themselves thoughtfully. They must also have habits of mind that include self-motivation, intellectual curiosity, analytic ability, creative thinking, moral reasoning, self-confidence, and empathic action. Thus equipped, students will excel in college and become engaged and empowered citizens in their community and beyond.

HOW LEARNING BEST OCCURS

Aspire’s education program is designed to give students the content knowledge and habits of mind necessary to face the challenges of the 21st century. The California Common Core State Standards (“CA CCSS”) drive the instruction of all Aspire charter schools by providing the road map of what students need to know.

In order to prepare students to succeed in college, Aspire’s educational program has drawn on the Center for Educational Policy Research’s study Standards for Success (2003). This research gathered information about the required skills to succeed in college from more than 400 staff and faculty members at research universities. The authors of this research believe college students need “critical thinking, analytic thinking and problem solving; an inquisitive nature and interest in taking advantage of what a research university has to offer; the willingness to accept critical feedback and to adjust based on such feedback; openness to possible failures from time to time; and the ability and desire to cope with frustrating and ambiguous learning tasks.” Aspire has interwoven these habits into its core curriculum, which the Charter School follows. With the adoption of the CA CCSS, the Charter School program will be more tightly aligned to our college readiness goal.

Additionally, Aspire has built a College For Certain® culture. Beginning in kindergarten, students are informed and inspired to succeed in high school and attend college. Classrooms are named after universities with the year the class will graduate from college above the door. Teachers and principals proudly share their college going
experiences, diplomas and challenges. Through Aspire’s schools, students are given the will, the skills and the habits of mind to attend college and succeed in life by becoming self-motivated, competent, and lifelong learners.

THE CHARTER SCHOOL'S PROGRAM DESIGN ELEMENTS

Community

Aspire schools are small with approximately 60 students per grade level. The schools are broken into divisions and small classes to create a community where each student is known personally.

• **Small Schools:** Students are more likely to succeed in small schools, where teachers and the principal know each family well. Students and their needs are not lost in the crowd. Target enrollment for Aspire elementary campuses (K-6) is between 360 and 420 students.

• **Small Class Sizes:** In smaller classes, teachers can give each individual student the time and individual attention necessary to realize his or her personal academic goals.

• **Looped Grouping:** Teachers strive to teach the same group of students for two years. This longer time with one teacher allows students to develop a deep relationship with one individual. The teacher saves instructional time during the second year of instruction as she/he knows the individual student’s strengths and weaknesses on the first day of school. Instruction can begin as soon as the school year does. Students remain with the same teacher for kindergarten and first grade; second grade and third grade; and fourth and fifth grade. 6th grade students may either continue on with the same teacher for a third year or have a teacher for only one year.

Learning Time

Aspire provides 15% more learning time for students than traditional public schools, and uses time more effectively during the year and day to maximize in-depth learning.

• **Longer School Day:** Students learn more when they are given more time to learn each day. With more time, teachers can create more effective projects to build higher order thinking skills. Aspire schools have, on average, a 7.5 hour school day for grades 1-12, and at least a 5-hour school day for kindergarten. In other words, Aspire students receive about one hour more instruction each day than students in traditional public schools.

• **Longer School Year:** Aspire schools provide approximately 186 to 190 days of instruction, which is about 11 more days than traditional public schools. Some of these additional days are on Saturday, when families can attend class with their children.
• **Modified Traditional Calendar:** The Charter School uses a modified traditional calendar (shorter summer recess) to decrease the loss of learning during extended recesses. The School starts earlier than traditional calendars, includes a Fall Break and runs later into the summer.

### Teaching Methods

All educators at Aspire Public Schools use a variety of pedagogical strategies to ensure all students learn and grow continuously. Strategies are selected based on the teacher's knowledge of how students best learn different topics, and are usually used in combination. Aspire has created Instructional Guidelines (PACING GUIDES) in math, language arts, science and humanities (i.e. the interdisciplinary study of social sciences, literature, and art), that spell out the frequency and purpose for each type of instruction. These instructional strategies are well-aligned to the deep understanding required by the California Common Core State Standards and the academic content and performance standards. The Instructional Guidelines will be revised annually as more is learned about effectively implementing the CA CCSS. Sample Instructional Guidelines (PACING GUIDES) are attached in Appendix L. These guidelines, as well as the purchased curriculum materials, provide the structure for a standards-based curriculum. Aspire educators are also trained to adapt these methods in ways that maximize personalized experiences each child receives. The major strategies used include:

- **Explicit Instruction:** in this traditional form of teaching, the teacher presents the lesson, which includes: a purpose; specific instructions; modeling; guided practice; and checking for understanding. At the conclusion, students individually demonstrate their new skills or knowledge.

- **Massed and Distributed Practice:** this retention strategy provides students with many opportunities to practice new skills upon initial learning. Practice is then distributed over the course of many months to increase the retention of previously learned skills and knowledge.

- **Problem Solving:** this method provides students with a step-by-step process for determining the solution.

- **Inquiry:** in this process, students are presented with a problem or question, and formulate and test theories to work towards a solution.

- **Culturally Appropriate Curriculum and Instruction:** A multicultural curriculum and culturally sensitive pedagogy will enable students to appreciate and respect their own and each others' heritages and to develop an understanding of multiple perspectives.

- **Flexible Supports:** Many supports will be provided within the classroom, the Charter School and community. For example, pedagogical support might include literacy support, tutoring across subject areas, and second language learning supports.
- **Diagnostic Assessment**: Teachers will use a wide range of diagnostic assessments to evaluate how students are learning as well as what they are learning. These assessments will inform decisions about the curriculum and teaching strategies as well as individual supports for students. Once each term the teacher, parents and students will discuss the student’s learning strengths and weaknesses, and set goals for the next semester. The Personalized Learning Plan rubric is attached in Appendix A.

- **Authentic Experiences**: In the early elementary grades at Aspire schools, students learn literacy skills through authentic reading and writing experiences, including shared reading, guided reading, independent reading, shared writing, interactive writing, writing workshops and independent writing. In the older elementary grades at Aspire schools, students focus on “reading to learn,” through reciprocal teaching, literature circles, and the use of both non-fiction books and classical literature. Students also learn by applying the scientific method to hands-on experiments and by interacting with others on community issues.

**Curriculum**

Aspire uses a combination of adopted programs and curriculum developed in-house to meet Aspire standards and build basic skills, higher-order thinking skills, and life-skills. The curriculum is clearly articulated as a K-12 system and based on the CA CCSS. All elements of the curriculum are research-based and have been proven effective in schools. The specific CA CCSS curriculum materials will be determined through an organization-wide adoption process. For more details on Aspire’s plan for transition to CA Common Core State Standards, please refer to Appendix B.

- **Language Arts**: Students communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. This may be through oral reports and debates, written letters and essays. Through the examination of various texts, students demonstrate critical reading and active listening skills in order to comprehend, interpret and evaluate ideas. Students write extensively in both expository and creative forms.

When students are learning to read, instruction will focus on phonemic awareness, phonics instruction, fluency, and text comprehension. Writing is integrated into the learning process. In preparation for the change to the California Common Core State Standards for English Language Arts & Literacy (“CA CCSS for ELA/Literacy”) as well as preparing them for college, students write in every subject with writing instruction embedded into feedback, as well as explicit writing instruction.

One of the main resources in K-6 literacy instruction may be the Open Court Reading materials. Writing may be supplemented with vocabulary and instruction based on the Lucy Calkins Units of Study in grades K-6. These units are aligned with the California Common Core State Standards and teach students how to use
evidence and academic vocabulary as they write in the required genres. The curriculum uses a Writers’ Workshop format.

- **Social Science:** Aspire’s history and social studies curriculum ensures that students are historically literate (including culture, geography, politics, economics, and ethics) and become active, informed citizens (including U.S. policy and effective research techniques). Students apply historical, political, philosophical, geographical, economic and sociological knowledge to local and global situations in order to comprehend contexts and events, predict and evaluate the outcomes of human actions, and act responsibly as world citizens. Students learn to apply chronological, thematic and integrative thinking, develop and test hypotheses about cause and effect, gather evidence to support conclusions, use methods of historiography, conduct in-depth and relevant research, critically examine sources, and synthesize ideas. Materials at both the elementary and secondary level include primary sources, historical literature, History Alive! Interact and a variety of non-fiction texts as recommended by the CA CCSS.

Throughout the K-12 instructional program, social science and language arts are interwoven. The stories and facts in history are the vehicles for instructing students to read and write.

- **Mathematics:** Students apply mathematical concepts and processes, including number systems, operations, graphics and logic, in order to problem-solve within and outside of mathematics. Students demonstrate facility with the language of mathematics and express generalizations discovered through investigation. Students are expected to be competent in symbolic reasoning and in constructing logical arguments.

A balanced approach provides both the conceptual understanding of math and the skills to solve problems. By providing extensive math time in elementary classrooms, our state adopted math materials, Harcourt Brace, Prentice Hall and California Preparatory Mathematics can be interwoven with other real-life problems. These materials will also change or be updated with the realignment with the CA CCSS: Mathematics.

A key tool in mathematics instruction is the standards-based software program Edusoft. Edusoft creates scores and reports standards-based assessments. Aspire uses these assessments as both benchmark exams and formative assessments. The Edusoft reports in all subjects inform the teacher on whether the students have mastered a standard or need further instruction. Aspire is currently in the process of reviewing several vendors for CA CCSS aligned questions to create CA CCSS aligned assessments.

For example, the results of a standards-based assessment given in 5th grade might show that 90% of the students mastered Math Standard Number Sense CA CCSS: Add, subtract, multiply, and divide with decimals, but only 15% mastered Number Sense CA CCSS: Perform operations with multi-digit whole numbers and with decimals to hundredths. The teacher would provide remediation for students who
did not understand one standard and reteach the whole class the other standard. Teachers use this data on a daily cycle. Grade level teams, principals and subject level teams look at this assessment data every two weeks.

- **Science**: Students demonstrate understanding of scientific concepts and ideas through real-world applications. The Next Generation Science Standards are the basis for content and scientific thinking. Students utilize scientific research and inquiry methods to conduct investigations and problem-solve. They apply conceptual knowledge and processes from the major branches of science (biology, chemistry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines. Additionally, the instruction aligns with the technical writing and reading standards outline in the CACSS. Aspire uses a variety of curriculum materials and the state adopted textbooks may be supplemented with AIMS, FOSS, scientific readings and local scientific resources such as guest speakers, field trips, and presentations.

Other subjects essential to a healthy and balanced life are also covered in a variety of ways:

- **Visual and Performing Arts**: Appreciation and participation in the arts are essential to each student's development. At the elementary level, arts are integrated into thematic units to inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Visiting artists and parent docents also provide special programs in the arts.

- **Health**: Students develop an understanding of the importance of health and nutrition through classroom instruction, selected special programs, collaborations with local health agencies, and thematic units. Health instruction follows the California Health Framework. Data from the California Healthy Kids survey or our own internal surveys will inform additional needed interventions.

- **Physical Education**: Students receive regular physical education instruction. Emphasis is placed on activities that students are likely to engage in throughout their lives (e.g. running, dancing).

**Assessment**

At Aspire Public Schools, assessment is a critical tool for observing individual student progress, determining the efficacy of individual teachers, and evaluating the success of the program as a whole. Multiple assessments are used because no single assessment provides sufficient information on students' learning regarding all three outcomes. Aspire students are assessed through:
• All standardized and standards-based tests required for traditional public schools that are mandated in the California Education Code (including, but not limited to, Smarter Balance Assessment Consortium assessment, CELDT and Physical Fitness Test)

• Other nationally recognized norm-referenced and/or developmentally based tests (e.g. Developmental Reading Assessment, etc.)

• Specialized assessments developed by Aspire Public Schools for all areas of the academic core (e.g. project rubrics, Aspire Writing Assessment);

• Day-to-day assessments related to specific content or skills (running record for language arts; Open Court phonics, Edusoft assessments; math computation quizzes, unit tests);

• Qualitative observations of the process of learning (teachers’ anecdotal notes, a child’s reflection log, internship mentor reports); and

• Examination of final grade level projects, Rite of Passage Experiences (ROPES), are designed by each school to reflect a deep exploration of a key grade level standard— for example character analysis, media literacy— which include independent research, preparation of a presentation and delivery of that presentation to an audience of external evaluators made up of community volunteers and staff from the central office.

Technology as a Tool

At Aspire, technology is used as a tool for research, communication, and production—just as it is in everyday life. Each school has 3 to 5 computers in a classroom with Internet access, a computer lab or access to banks of laptop computers. Students exercise their higher-order thinking skills through simulations and presentations, their communication and production skills through electronic mail and publishing, and their research skills through use of electronic references, including the Internet. Students are required to take a computer course as part of their graduation requirements. This class not only prepares students to succeed in the 21st century, but prepares them for the CCSS on-line assessments.

ANNUAL GOALS AND ACTIONS IN THE STATE PRIORITIES

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1 The growing emphasis on norm-reference tests is much debated. Educationally, standardized tests are only a single indicator of mastery in basic skills; however, they are regarded by employers and policymakers as broadly meaningful. Aspire Public Schools believes that students should be prepared to be successful on the tests that they are held accountable for; these tests are often the key to future opportunity.
<table>
<thead>
<tr>
<th>State Priority #1</th>
<th>Annual Goals to Achieve Priority #1</th>
<th>Actions to Achieve Annual Goals</th>
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<tbody>
<tr>
<td>The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</td>
<td>On an annual basis, Aspire’s credentials team will evaluate whether all the Charter School’s teachers are appropriately assigned and fully credentialed, and will take action if they are not. Each year, the Charter School will report on whether every pupil will have sufficient access to standards-aligned instructional materials. On an ongoing basis, facility maintenance needs will be assessed and resolved.</td>
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<tr>
<th>State Priority #2</th>
<th>Annual Goals to Achieve Priority #2</th>
<th>Actions to Achieve Annual Goals</th>
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<tbody>
<tr>
<td>Implementation of California Common Core State Standards and California English Language Development standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</td>
<td>Aspire will proceed with its California Common Core State Standards implementation plan, which includes revising curriculum, professional development, and assessments to align with the Common Core State Standards. Specialized professional development will be provided to teachers to differentiate for the needs of English Learners. The School will teach the English Language Development standards and provide support to teachers.</td>
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<tr>
<th>State Priority #3</th>
<th>Annual Goals to Achieve Priority #3</th>
<th>Actions to Achieve Annual Goals</th>
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<tbody>
<tr>
<td>Parental involvement, including efforts to seek parent input for making decisions for schools, and how the Charter School will promote parent participation</td>
<td>The Charter School will provide parents with opportunities to get involved, such as Student Led Conferences, volunteer opportunities, membership on the Advisory School Council (ASC), regular family meetings, and school and staff evaluations.</td>
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State Priority #4. Pupil achievement, as measured by all of the following, as applicable:
A. Statewide assessments (STAR, or any subsequent assessment as certified by SBE)
B. The Academic Performance Index (API)
C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education
D. Percentage of ELs who make progress toward English language proficiency as measured by the CELDT
E. EL reclassification rate
F. Percentage of pupils who have passed an AP exam with a score of 3 or higher
G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness

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<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #4</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
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<tbody>
<tr>
<td>The Charter School will provide students with an exceptional education.</td>
<td>The Charter School will track pupil achievement, as measured above, as applicable, on an annual basis. The data will be used to adapt targets and improve instruction.</td>
</tr>
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</table>

**State Priority #5.** Pupil engagement, as measured by all of the following, as applicable:
A. School attendance rates
B. Chronic absenteeism rates
C. Middle school dropout rates (EC §52052.1(a)(3))
D. High school dropout rates
E. High school graduation rates

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<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #5</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
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<tbody>
<tr>
<td>The Charter School will cultivate an environment that promotes pupil engagement.</td>
<td>The Charter School will track pupil engagement, as measured above, on an annual basis. The data and information gathered from our annual student survey will also inform school leaders.</td>
</tr>
</tbody>
</table>

**State Priority #6.** School climate, as measured by all of the following, as applicable:
A. Pupil suspension rates
B. Pupil expulsion rates
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

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<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #6</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
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<tbody>
<tr>
<td>The Charter School will provide a positive school climate.</td>
<td>The Charter School will track the progress of school climate, as measured above. The data and information gathered from our annual</td>
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State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.

"Broad course of study" includes the following, as applicable:
Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)

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<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #7</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
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<tr>
<td>The Charter School will provide pupils with the opportunity to have access to and enroll in a broad course of study.</td>
<td>Through course offerings and enrichment afterschool, along with access to and scheduling which allows for participation in classes and clubs by outside providers, students will be provided with a broad course of study.</td>
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State Priority #8. Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

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<th>ANNUAL GOALS TO ACHIEVE PRIORITY #8</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
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<tr>
<td>The Charter School will track pupil outcomes in a broad course of study.</td>
<td>The Charter School will track participation in afterschool programs, in addition to Aspire course grades. That data will be used to make changes to course offerings and enrichment opportunities as necessary.</td>
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Meeting the Needs of All Students

SUPPORT FOR ENGLISH LEARNERS

English Learner Instruction

The Charter School is required to timely identify potential English Learners (ELs) and provide them with an effective English language acquisition program that affords meaningful access to the Charter School’s academic core curriculum. Instructional plans for English Learners must be (1) based on sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources;
and (3) periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis (on or about October 1), [Charter School] shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School will either adopt and implement LAUSD’s English Learner Master Plan or implement Charter School's own English Learner Master Plan. If Charter School chooses to implement its own EL plan, the instructional plan shall include, but is not limited to, the following:

- How English Learners' needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the Charter School will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services

The Charter School shall provide to the CSD an annual report of its EL program assessment. Upon request, [Charter School] shall provide a copy of its current EL Master Plan to the CSD.
The Charter School shall administer the CELDT annually in accordance with federal and state requirements.

The Charter School shall ensure that it will provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding school matters to the same extent as other parents.

Aspire is committed to the success of its English Learner population, and supports will be offered both within academic classes and in supplemental settings for students who need additional support for English learning. The Charter School will meet all applicable legal requirements for English Learners (“EL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The School has already begun work on the implementing Aspire’s English Learners Master Plan through professional development, accountability and analysis of data.

The Charter School’s program for English Learners is research-based, supported by budget resources, aligned with the English Language Development Standards and professional development and evaluated regularly for efficiency and needed improvements. The tenants of the program include these guiding principles:

2 Rethinking English Language Instruction: An Architectural Approach; Susana Dutro and Carrol Moran (2002)

Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019
• The priority for instruction is language learning and exploration.
• Using our RtI program, students will be grouped by proficiency level, as
determined by multiple sources such as CELDT results, Developmental Reading
Assessment, Aspire Writing Assessment and oral language samples.
• Language tasks should be relevant to students and applicable to the real world.
• Provides a systematic method for language instruction based on the ELD
standards to address gaps in language proficiency.

Learners who have not yet met the Intermediate level of English acquisition will
require a specialized set of supports. These students will have supplemental instruction
which focuses on the CCSS-aligned English Language Development Standards. The
Imagine It! Curriculum will be the instructional basis for this instruction. Additionally,
our youngest students who will simultaneously be learning English while learning to read
and write will have extensive oral language experiences to assist in development of both
skills.

Common Core English Language Arts

Specific strategies will be used to support English Learners as they tackle the CCSS
in Language Arts.\(^3\) The School will provide instruction in units of study to assist students
in building vocabulary. Different sources on one topic help build context and accelerate
vocabulary acquisition. To support writing, students will be exposed to different types of
writing, assignments will be meaningful to the student and assessment will focus on
content and not only mechanics. Speaking and listening for English learners will require
instructional strategies such as academic discourse, Think-Pair-Share and extensive
collaboration. Finally, the School will leverage technology by providing differentiated on-
line books.

Math

During mathematics instruction, the overall focus will be on the mathematical
thinking and not the accuracy in language. This oral discourse will take place during
Number Talks and Student Led Solutions. Mathematical vocabulary will be taught within
the context and not in isolation. Finally, the software used in our blended learning
program allows students to manipulate models and hear feedback orally in a
differentiated way.

Science

Science instruction will involve extensive models and diagrams. This strategy will
allow learners to describe functions and relationships before acquiring the technical

\(^3\) Language Demands and Opportunities in Relation to Next Generation Science Standards for ELLs: Helen Quinn, Okhee Lee, and
Guadalupe Valdes;
Mathematics, the Common Core, and Language: Judith Moschovitch;
Realizing Opportunities for ELLs in the Common Core English Language Arts and Disciplinary Literacy Standards: George Bunch
Amanda Kibler, and Susan Pimentel (the articles can be found here: http://ell.stanford.edu/papers/practice)
vocabulary. Additionally, English Learners will have extensive academic discourse to build their ability to reason orally before moving onto written. Finally, examples of journal, reports and other written assignments along with opportunities to revise language will support learners as they master the Next Generation Science Standards.

**Social Studies**

Although the California Social Science Standards have not been changed, the School will build the competence of students in anticipation of a rigorous set of expectations aligned with the Common Core State Standards. This preparation includes practice with academic discourse, units of study, extensive use of maps and graphic organizers.

- **Home Language Survey**

  The Charter School will administer the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms). Spanish-speaking students in the country less than twelve months will be given the state’s Designated Primary Language Test (currently the Standards-Based Tests in Spanish) to determine the student’s academic proficiency when tested in his/her home language of Spanish. Students who take the Standards-based Tests in Spanish (STS) are required to also take the Smarter Balanced Assessment Consortium (SBAC)CCSS assessments and/or California Modified Assessment (CMA) appropriate to their grade level.

- **CELDT Testing**

  All students who indicate that their home language is other than English will be California English Language Development Test ("CELDT") tested or tested with any new English Language Development test adopted by California within thirty days of initial enrollment4 and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

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

**Reclassification Procedures**

Reclassification procedures utilize multiple criteria in determining whether to

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4 The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.
classify a pupil as proficient in English including, but not limited to, all of the following:

- Assessment of English language proficiency using an objective assessment instrument including, the CELDT.

- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's mastery and progress on the California or Common Core Standards.

- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents' opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.

- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills (i.e. performance on the SBAC CCSS assessments and CMA) based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

- The Student Oral Language Observation Matrix may be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

**Strategies for English Learner Instruction and Intervention**

To meet the needs of English learners, Aspire has added a number of bilingual teaching strategies to its core program, including Specially Designed Academic Instruction in English (SDAIE). Specifically, those strategies include:

- realia (real objects and materials)
- manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, storymaps)
- visuals (study-prints, text book illustrations, overheads-projected prints, reproductions of paintings and documents)
- graphic organizers (matrices, Venn diagrams and webs)
- planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)
Learners who have not yet met the Intermediate level of English acquisition will require a specialized set of supports. These students will have supplemental instruction which focuses on the CCSS-aligned English Language Development Standards. Additionally, our students newest to English who will simultaneously be learning English while learning to read and write will have extensive oral language experiences to assist in development of both skills.

All teachers will be given professional development in teaching English Learners during summer training and one-on-one coaching with instructional coaches in their appropriate content areas, including having the opportunity to participate in Guided Language Acquisition Development (GLAD) training. The newly adopted English Language Development Standards will be mapped to Aspire’s Instructional Guidelines. The mapping of the previous English Language Development Standards to Aspire’s Instructional Guidelines is included in Appendix C. This document will be updated as necessary to align with CA CCSS. Our data portal also includes extensive analysis about our English Learners progress based on the CELDT. This analysis not only provides the teachers and school leaders information to guide instruction and program, but is a key part of our RtI program.

**Ongoing Assessment of EL Students**

The Charter School’s use of achievement data will also drive the instruction and professional development as it relates to English Learners. All teachers will analyze the SBAC CA CCSS assessment and Aspire benchmark achievement data by this subgroup at least twice a year, and continue to assess the students through teacher-designed assessments and Aspire’s benchmark assessments. Any students not making progress or mastering standards will be included in the Response to Intervention analysis. Supports may include after school tutoring, time with a reading intervention specialist or in classroom support based on their language needs.

**Monitoring and Evaluation of Program Effectiveness**

The evaluation for the program effectiveness for ELs in the Charter School will include:

- Adhere to School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.
- RIFE students will be monitored through our RtI process that involves monitoring of students on academics and analyzed on variables such as designation. Those needing additional support will receive it through interventions such as READ 180, after school tutoring, during school remediation or classroom based instruction.
SUPPORT FOR ALL STUDENTS

Highly Qualified Teachers

At the center of the educational program are the teachers. The faculty will consist of well-prepared and certified teachers. All core teachers and paraprofessionals will meet the requirements of the Elementary and Secondary Education Act. Professional development and teacher collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Aspire will ensure collaborative planning time for teachers to design student focused curriculum, pedagogy and assessment through which students can make connections, deepen their understanding of concepts and achieve at high levels.

The professional needs of teachers are different every year and for every educator. Teacher receive personalized training through coaching, professional videos on our training site, the Purple Planet and whole staff meetings. These schoolwide trainings take place on Friday afternoons when students are dismissed early. Sample topics of whole staff meetings are listed below:

- Using a lense of equity
- Differentiated instruction
- Writing across the Curriculum
- Meeting the needs of English Learners

In addition, all staff members receive mandatory safety training on child abuse response and prevention, blood-borne pathogen exposure, and sexual harassment. Aspire uses SafeSchools’ comprehensive training program. In addition, Aspire provides the Charter School with resources and guidance about conducting and tracking safety drills, CPR/First-Aid training, and customizing a comprehensive school safety plan.

Personalized Learning Plans

The Charter School will create and maintain a Personalized Learning Plan (PLP) for each student. See Appendix A. The PLP will provide the teacher, parents and student with a common understanding of the student’s learning style and objectives; all parties may then act based on that understanding. During Student-Led Conferences, the teacher, parent and student will discuss the student’s learning strengths and weaknesses, and set goals for the next semester. By working closely with each student and family to develop an appropriate PLP, the Charter School will be able to respond to the needs of every individual student, including those who are achieving above or below expected levels. This allows all students to receive the appropriate interventions, if needed, provided by the Charter School through its system of instruction and support, including in-school, after-school, specialized classroom instruction, or positive behavior supports. Aspire’s high standards for learning, comprehensive interventions, and rigorous caring provided
to all students can be personalized in the PLP. In addition to other supports, the PLP guides the Charter School in providing appropriate general education strategies to ensure the progress of students with unique learning needs, including students eligible for Special Education service, others served by 504 plans as required by law, English Learners, Homeless or Foster Youth, and students achieving substantially above or below grade level expectation.

**SUPPORT FOR ACADEMICALLY LOW-ACHIEVING STUDENTS**

Aspire sets high expectations for all students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the acceptable level may receive a mix of intervention services, including: in-class individual targeted instruction by classroom teachers; in-class small-group guided learning by classroom teachers; before- or after-school instructional support provided by non-classroom educators in a one-on-one setting or in small groups; participation in a specialized support class taught by a literacy specialist or other educator. Instructional materials selected for intervention services are grounded in proven best practices, may be designed by the educator, or may be a research-based program such as READ 180.

Students targeted for additional instructional support or intervention will include, but are not limited to, students who, through universal screening or other assessment, meet the following criteria:

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Criteria For Additional Intervention</th>
</tr>
</thead>
<tbody>
<tr>
<td>SBAC CCSS assessment, CMA, California Alternative Performance Assessment (CAPA) or STS, CA CCSS Assessment – ELA or Math</td>
<td>Far Below Basic, Below Basic, Basic</td>
</tr>
<tr>
<td>DRA</td>
<td>Not at grade level</td>
</tr>
<tr>
<td>Parent Recommendation</td>
<td>Any</td>
</tr>
<tr>
<td>Teacher Recommendation</td>
<td>Any</td>
</tr>
</tbody>
</table>

Aspire utilizes the Response to Intervention framework (RtI) of tiered intervention to ensure that students below grade level, or students achieving below expected levels of performance, receive additional instruction or intervention to ensure progress towards expected levels. Through the systematic RtI process, schools are universal in assessing students' academic, behavioral and socio-emotional development needs, and proactive in providing students with appropriate timely, targeted and effective research-based interventions such as classroom differentiation, specific interventions. Systematic progress monitoring of results of instruction or intervention guides decision-making about the intervention's success and additional services, including special education services. Off-the-shelf programs and interventions, such as READ 180 or Seeing Stars, are all vetted for research-based effectiveness before using with students.
Aspire strives to offer a comprehensive approach to assessing, supporting and monitoring the progress of all students towards grade level and College Readiness outcomes. The RTI framework encourages an inclusive, flexible learning environment, encompassing and extending Aspire’s data driven, student-focused approach to instruction. Aspire educators are encouraged to deepen coordination of instruction across all learning environments, including our grade level or core classrooms, intervention programs, specialized educational services and non-academic services. The RTI team, an intervention teacher, an educational specialist and classroom teachers, meet on a monthly basis to monitor the progress of students and identify needed interventions. Students will receive Tier 2 interventions until they make progress.

SUPPORT FOR ACADEMICALLY HIGH-ACHIEVING STUDENTS

Because Aspire’s Instructional Guidelines are designed to differentiate and individualize instruction for students at different levels, students achieving above grade level can be effectively served at the Charter School. For instance, the instruction during language arts allows students to be reading at their own instructional level. One student reading at grade level can sit next to another student doing the same activity at three grade levels higher. Specific instructional strategies include high level questioning, academic discourse, self-monitoring and Socratic seminars. Small class sizes and looping also aid in differentiation of instruction because classroom teachers understand each individual student’s needs. The variety of instructional techniques and materials provided in Aspire’s program are cited as important features by the National Association for Gifted Children in the Gifted Educational Program Standards. Finally, any student achieving above grade level can be accelerated to a higher grade level at the discretion of the parent and principal.

STUDENTS WITH DISABILITIES

Overview

FEDERAL LAW COMPLIANCE
Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004.

The Charter School will be its own local educational agency (“LEA”) and will apply directly for membership in a Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a). The Charter School is a member in good standing of the El Dorado County Charter SELPA.

5 Gifted Education Program Standards, National Association for Gifted Children.
In the event the Charter School seeks membership in a different state-approved SELPA, the Charter School will provide notice to the District, the SELPA, and the California Department of Education before June 30th of the year before services are to commence.

The Charter School may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. The Charter School may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

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

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.

- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student’s aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student’s impaired sensory, manual or speaking skills.

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

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

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

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

More details around Aspire’s 504 procedures and Enrollment Steps are attached in Appendix D.

SPECIAL EDUCATION PROGRAM

All LAUSD-authorized charter schools must adhere to all terms and conditions of the Chanda Smith Modified Consent Decree ("MCD") and any other court orders and/or consent decrees imposed upon the LAUSD as they pertain to special education. Charter schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school’s inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

Prior to LAUSD Board of Education approval, the Charter School will execute a Memorandum of Understanding ("MOU") by and between LAUSD and the Charter School regarding the provision and funding of special education services.

SELPA REORGANIZATION

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code § 56195.1(a) and intends to continue operating as a single-District SELPA as in the current structure but has created two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11).
implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year.

The Charter School may continue as a member in the El Dorado County Charter SELPA or it may apply for one of the three options available under the LAUSD SELPA, in its discretion.

Aspire is a California non-profit charter management organization which operates 34 schools throughout the State of California, including but not limited to those located in the geographic area of the District, 27 of which operate under the auspices of a out-of-geographic area SELPA pursuant to the provisions of the CA Education Code. Unless operated pursuant to the District-operated Program as set forth above, the Aspire school subject to this petition may maintain LEA status and exercise all rights thereto including but not limited to participation in the El Dorado County Charter SELPA or other out of geographic area SELPA, or it may apply for membership in the Charter-operated Program as set forth above. If it applies for membership in the Charter-operated Program, it will not have a LEA status but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools may apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs. If it does not apply for membership, it shall continue as a school within the El Dorado County Charter SELPA.

MODIFIED CONSENT DEED REQUIREMENTS

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of the Chanda Smith Modified Consent Decree (“MCD”) and other court orders imposed upon the District pertaining to special education. The MCD is a consent decree entered in a federal court class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court-appointed independent monitor. The MCD includes nineteen statistically measureable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All charter schools are required to use the District’s Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online Individualized Education Programs (“IEPs”) and tracking of related services provided to students during the course of their education.

As part of fulfilling the District’s obligations under the MCD, student level data requests from District-operated and Charter-operated schools are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor’s required format and are as follows:

Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019
• **End of Year Suspension.**
  
  District ID, CSIS ID, last name, first name, date of birth, gender, grade, date of suspension, number of days suspended, and reason for suspension.

• **STAR – Preliminary and Final.** The usual file including District ID.

• **Norm day – 2013**
  
  District ID, CSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

• **CBEDS – 2013**

• **All Students enrolled December 1, 2013.**
  
  District ID, CSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

• **Dropout 2012-13**
  
  District ID, CSIS ID, last name, first name, middle name, date of birth, grade, last location, school name and local district

• **Monthly SESAC and Suspension data from non-SIS schools**

• **Graduation roster from all LAUSD schools with 12th grade SWD**

The MCD requires charter schools to implement the District’s Integrated Student Information System (ISIS) which is now referred to as My Integrated Student Information System (MiSiS). MiSiS is a suite of applications which is designed to capture all District student data.

**Services for Students with Disabilities**

In accordance with state and federal law, each student eligible under IDEA will be provided a free appropriate education in the least restrictive environment. No student shall be denied admission to the Charter School because he or she is in need of special education services. Aspire is dedicated to ensuring that identified special education students shall be enrolled in the general education classroom setting along with their non-disabled peers and shall have access to participate in extra- - curricular activities the same as their non-disabled peers.

Aspire’s education program is characterized by inclusive systems which will support students with special education needs. The decisions regarding specialized academic services each student will receive are the responsibility of the Individualized
Education Team, which includes the involvement of parents in decision-making and developing the written Individualized Education Plan (IEP).

In the IEP process, general education teachers, specialists, students, and parents work together to share information and create the Individualized Education Plan that addresses the student's unique learning needs and specific requirements related to a student's disability. The IEP may include specialized academic instruction, classroom accommodations for a student or specific supports which will enable a student to progress towards learning or behavioral goals in the least restrictive environment.

The professional development of all Aspire teachers focuses on differentiating the curriculum, employing varied instructional strategies, and utilizing technologies or other resources to ensure that each and every child in the classroom has access to learning, regardless of disability or need. Multiple measures assess student's progress towards their IEP goals, grade level outcomes based on the CA CCSS, or Aspire College Readiness outcomes.

Aspire is charged with ensuring that all students, including students with disabilities, are progressing towards grade level mastery of California Content and California Common Core State Standards and will attain College Readiness.

Aspire's educational program includes systems of intervention, including After School Program, as well as differentiated instructional strategies to meet the diverse learning needs of all students. All incoming students participate in assessments in the areas of English Language Arts and Mathematics to assist in identification of student learning needs and provision of appropriate instructional supports for all students, including EL, Disadvantaged, 504, or IEP. Other measures used to assist with creating teacher interventions or differentiating instruction for all students include:

- SBAC CCSS assessment
- Smarter Balance Consortium assessments
- California Modified Assessment (CMA)
- CAHSEE
- California Alternate Performance Assessment (CAPA) CELDT
- Curriculum-based Benchmark Assessments
- Teacher observation and interview

The identification process for students who would be eligible for special education services under IDEA begins when students have been accepted through the enrollment lottery and enrolled in the Charter School. Through the process of “Child Find”, each school fulfills the obligation of locating, evaluating, and identifying children with disabilities who may be in need of special education. The Student Success Team serves
parents, students and staff to address student needs and to initiate the referral process, if appropriate, for special education or other services.

Specialized Academic Instruction will be provided by the Education Specialist (Mild/Moderate or Moderate/Severe) as determined in an eligible student’s Individualized Education Program. Co-Teaching models ensure the integration of supports and services within the general education setting. To support inclusive classroom practices, flexible learning options or environments, such as a Learning Center, will be provided as needed for students with specific accommodations or modifications to their learning program as included in their individual IEP. Learning Centers will also provide the structured setting as required for some students in the IEP and will ensure provision of a continuum of services, including students with moderate/severe disabilities. These options may also serve general education students with intensive academic or behavioral support needs as determined through the Charter School’s RtI system.

**LEA Member in EDCOE Charter SELPA**

The Charter School shall participate as an LEA member of the El Dorado County Office of Education Charter SELPA for the purposes of special education.

Unless operated pursuant to a District-operated Program as set forth above, or unless operated pursuant to membership in the Charter-operated Program of the SELPA as set forth above the LEA, the Charter School shall assume full responsibility for the provision of special education and related services to eligible students as an LEA member of the El Dorado County Office of Education Charter SELPA (EDCOE Charter SELPA). Proof of membership status is attached in Appendix E. As such, State and Federal funding shall be allocated directly to the Charter School per the allocation plan of the EDCOE Charter SELPA. The Charter School shall assume responsibility for the general education contribution which may be necessary for the provision of special education services to identified students and shall meet the annual Maintenance of Effort Requirement.

**LEA Assurances**

As required of LEA members within the EDCOE Charter SELPA, the Charter School provides the following assurances:

- **Free Appropriate Public Education (FAPE)**-The Charter School will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.

- **Child Find**-The Charter School will assure that all students with disabilities are identified.
• Full Educational Opportunity-The Charter School will assure that all students with disabilities have access to the full range of programs available to non-disabled students.

• Least Restrictive Environment (LRE)-The Charter School will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids, supports and services in the general education environment.

• Individualized Education Program (IEP)-The Charter School will assure that an Individualized Education Plan is developed, reviewed and revised for each child who is eligible.

• Assessments-The Charter School will assure that an IEP review shall be conducted on an annual basis at a minimum. In addition, a reassessment shall be conducted at least once every three years and more often if conditions warrant or if requested by the student’s parents or teacher, to determine continued eligibility and needs.

• Confidentiality and Procedural Safeguards-The Charter School will assure that the confidentiality of identifiable data shall be protected at collection, storage, disclosure and destruction. In addition, students and their parents shall be provided with safeguards through the identification, evaluation and placement process and provisions for a Free Appropriate Public Education.

• Personnel Standards-The Charter School will assure that good faith efforts will be made to attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to eligible children with disabilities.

• State Assessments-The Charter School will assure that students with disabilities are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate.

The Charter School shall comply with all requirements of the Federal Individuals with Disabilities in Education Act (IDEA), State laws and the EDCOE Charter SELPA Local Plan, and perform all corrective actions deemed necessary by Aspire Public Schools, the EDCOE Charter SELPA and or CDE. The Aspire Director of Special Education will involve the school team in the development of the budget, hiring necessary staff, contracting for appropriate services and documenting the qualifications and competency of school leadership to meet the special education compliance and quality requirements. A Program Specialist shall be assigned to support the Charter School and to provide coaching support to the site special education to ensure that all requirements of IDEA are
met, and each child is well served. In addition, the Charter School will adhere to the terms, conditions and requirements of the MCD and other court orders imposed upon District pertaining to special education.

A comprehensive year-long Aspire Special Education Professional Development plan shall be developed with site team input to provide continuous learning opportunities and support to special education staff, as well as to build the capacity of the site team in meeting compliance with state and federal statutes, reporting requirements and use of instructional data for decision-making. In addition to Induction Program for Education Specialist Credential, professional development will be provided about promising practices that support the specialized learning needs of special education students in the least restrictive environment, including: universal design for learning, models of collaboration and the unique specialized earning needs of the secondary learner. Each staff member’s Professional Learning Plan (PLP) will reflect our Aspire shared responsibility for student progress and site special education needs, as well as differentiated opportunities to address each staff individual professional development needs. Professional development opportunities will include those offered in collaboration with other Aspire schools, the Charter SELPA, or Diagnostic Center.

A Typical Day

At 7:50, you arrive at your school. You immediately run over to the music teacher to find out if Drum Club is meeting during lunch. Once you have gotten your answer, you run off and play soccer with your friends.

At 8:20am, the bell rings and it is time for the all-school morning assembly. You immediately line up in your class line and stand like a college student. Your principal announces a College Dress Day for Friday because everyone did their homework last week.

You immediately begin thinking about which college t-shirt you will wear on Friday instead of your uniform. Every classroom does its college cheer. As you walk into the school, the teacher shakes your hand and reminds you to get ready to work hard and get smart.

As you arrive in your classroom at 8:30, you are happy to see a math “Do Now” on the white board. You immediately begin solving the review problem and the word problem while the teacher collects homework and takes attendance. After you finish, you review the College Objectives on the board to see what you will be learning today to help you succeed in college.

It is time for your favorite subject – math. After reviewing the Do Now from the morning, the teacher puts a ratio on the board and has every partner group convert it to a fraction, decimal and percent. Your group has worked together before, so there is not much disagreement. When the group gets stuck on the percentage, the teacher comes over and
completes a similar problem on the white board. The group then solves the problem and comes out with the same answer.

At 9:45am, your class goes right to physical education. After warming up, you work through the small group centers that focus on balance. The teacher encourages you and challenges some groups to complete the centers with their eyes closed.

At 10:45, your class does a college walk to the playground and you take a break. The physical education teacher has organized a kickball game, but you decide to go to the library instead.

At 11:05am, you do some quick practice with the teacher on subject-verb agreement and work quickly through your independent practice. After you have checked your answers, you pull out your writing folder and start working on your butterfly research paper. When you get stuck on how to organize your notes, you sign up for a conference with the teacher.

Your reading group starts at 12:00pm. You move back to the back table with the other students who are reading the same leveled book as you. Today the teacher is asking for evidence that the main character made the right decision. You scour the text and politely disagree with someone in your group as your quote contradicts her opinion. Once you have received your next assignment, you move onto the computers. You sign in and start working on Reading A to Z online. You are thrilled that the non-fiction text today is about basketball. You work through the ‘text clues’ lesson and note the growth you have made in this program in only two months.

At 12:20pm, you begin your one-on-one meetings with the teacher. Her help in organizing your notes, makes the next paragraph easy.

During lunch at 1:00pm, you eat lunch with your friends and head off to Drum Club. The group practices for their performance at the community meeting next week. After lunch, you return to class for writing.

At 3:15pm, you pack up your backpack and walk to the extended learning program with your sister. After eating a snack and reading a book, you decide to work on your math homework with the tutor. When you get stuck, you get permission to walk back to your classroom and ask the teacher. She helps you and you finish in time to do a science experiment with your friends.

At 5:00, you head home to finish up any remaining homework, enjoy some family time and get a good night’s sleep to be prepared for the next school day.
Element 2: Measurable Pupil Outcomes

Element 3: Method by which Pupil Progress Toward Outcomes will be Measured

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.

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

An Aspire education provides students with access to opportunities for success in future endeavors – in higher education, work, and citizenship. Through personalized learning experiences, students master **basic skills**, acquire the **thinking skills** needed for the rigorous work of the real world, and develop productive **life skills**. Aspire’s educational program is designed to help all of its students to develop the following measurable pupil outcomes:

To establish a foundation for success, Aspire ensures students will:

- **Basic Skills**: Master at least grade level competency in the four core subjects: mathematics, science, social studies, and language arts (including reading, writing, listening and speaking);

- **Thinking Skills**: Be able to apply classroom learning to their real world experiences in a relevant and valuable way, using higher-order thinking skills (including critical thinking, creativity, decision-making, problem solving, reasoning, knowing how to learn); and

- **Life Skills**: Have developed personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.

Aspire sets high standards for all students, based on CA CCSS, Newmann’s Standards for Authentic Instruction and Assessment 6and the Secretary’s Commission on Achieving Necessary Skills (SCANS) 7. In addition, each student has a Personal Learning Plan (PLP), developed in collaboration with his/her teacher and parent(s) that outlines the student’s specific learning goals each semester. Students will participate in the legally

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7 Based on important workplace skills as determined by the U.S. Department of Labor Secretary’s Commission on Achieving Necessary Skills (SCANS), Learning a Living: A Blueprint for High Performance. April, 1992.
required statewide assessments pursuant to Education Code Section 47605(c). Through these assessments, Aspire shall demonstrate student mastery of state standards.

The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

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

Aspire's academic program is standards-based and data driven. The California state content and performance standards, the CA Common Core State Standards, and multiple sources of data form the basis of the Charter School's teachings. Performance assessments will be evaluated with the use of common benchmarks and rubrics and will be analyzed on a regular basis to help drive the Charter School's educational program. The rubrics will be used to inform students and parents about the standards for student work. Both teachers and students will use the rubric to score the work and make improvements. Rubrics used throughout the year will show growth over time. Standards-based report cards are sent home three times a year. These documents allow parents to see if students are approaching mastery, have mastered or have not learned specific standards yet.

The Charter School commits to pursuing the following pupil outcomes:

**OUTCOMES AND METHODS OF MEASUREMENT ALIGNED TO STATE PRIORITIES**

<table>
<thead>
<tr>
<th>Charter School Outcomes Aligned to State Priorities</th>
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<tbody>
<tr>
<td><strong>State Priority #1.</strong> The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Annual Goals to Achieve Priority #1</th>
<th>Actions to Achieve Annual Goals</th>
<th>Measurable Outcomes and Methods of Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School's teachers will be appropriately assigned and fully credentialed. Every pupil will have sufficient access to standards-aligned instructional materials. School facilities will be maintained in good repair.</td>
<td>Aspire’s credentials team will evaluate whether all the Charter School’s teachers are appropriately assigned and fully credentialed, and will take action if they are not. The Charter School will report on whether every pupil will have sufficient access to standards-aligned instructional materials.</td>
<td>100% of teachers will be highly qualified per No Child Left Behind Act. 100% of students will have access to standards aligned materials as measured by school inventory. This applies schoolwide and for all subgroups.</td>
</tr>
<tr>
<td><strong>Annual Goals to Achieve Priority #2</strong></td>
<td><strong>Actions to Achieve Annual Goals</strong></td>
<td><strong>Measurable Outcomes and Methods of Measurement</strong></td>
</tr>
<tr>
<td>----------------------------------------</td>
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<td>--------------------------------------------------</td>
</tr>
<tr>
<td>The Charter School will adopt the California Common Core State Standards and California English Language Development standards, and will include how EL students will be enabled to gain academic content knowledge and English language proficiency.</td>
<td>Aspire will proceed with its California Common Core State Standards implementation plan, which includes revising curriculum, professional development, and assessments to align with the Common Core State Standards. Specialized professional development will be provided to teachers to differentiate for the needs of English Learners. The School will teach the California English Language Development standards and provide support to teachers.</td>
<td>100% of teachers will attend professional development annually on California Common Core State Standards including specialized segments for teaching English Learners and will teach the California English Language Development standards.</td>
</tr>
</tbody>
</table>

**State Priority #3.** Parental involvement, including efforts to seek parent input for making decisions for schools, and how the Charter School will promote parent participation

<table>
<thead>
<tr>
<th><strong>Annual Goals to Achieve Priority #3</strong></th>
<th><strong>Actions to Achieve Annual Goals</strong></th>
<th><strong>Measurable Outcomes and Methods of Measurement</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will promote parental involvement.</td>
<td>The Charter School will provide parents with opportunities to get involved, such as Student Led Conferences, volunteer opportunities, membership on the Advisory School Council (ASC), regular family meetings, and school and staff evaluations.</td>
<td>90% of families will state that they are satisfied or very satisfied with their experience at the Charter School via the family survey distributed annually.</td>
</tr>
</tbody>
</table>

**State Priority #4.** Pupil achievement, as measured by all of the following, as applicable:
A. Statewide assessments (SBAC CCSS, or any subsequent assessment as certified by SBE)

B. The Academic Performance Index (API) (or any subsequent measure of academic performance as certified by SBE)

C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education

D. Percentage of ELs who make progress toward English language proficiency as measured by the CELDT

E. EL reclassification rate

F. Percentage of pupils who have passed an AP exam with a score of 3 or higher

G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #4</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will provide students with an exceptional education.</td>
<td>Statewide assessments (STAR, or any subsequent assessment as certified by SBE)</td>
<td>Baseline 2014-2015 year 5% increase each year on students scoring proficient schoolwide and for each subgroup (or an aggregate of 25 percentage points over 5 years) until 80% P/A is reached</td>
</tr>
<tr>
<td></td>
<td>The Academic Performance Index (API) (or any subsequent measure of academic performance as certified by SBE)</td>
<td>Baseline 2014-2015 TBD beyond based on the structure of the API</td>
</tr>
<tr>
<td></td>
<td>Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</td>
<td>100% each year schoolwide and for each subgroup</td>
</tr>
<tr>
<td></td>
<td>Percentage of ELs who make progress toward English</td>
<td></td>
</tr>
</tbody>
</table>
language proficiency as measured by the CELDT

A. EL reclassification rate

B. Percentage of pupils who have passed an AP exam with a score of 3 or higher

The School program includes community college classes and not AP classes.

<table>
<thead>
<tr>
<th>Year</th>
<th>14-15 School Year</th>
<th>15-16 School Year</th>
<th>16-17 School Year</th>
<th>17-18 School Year</th>
<th>18-19 School Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Year</td>
<td>N/A</td>
<td>Baseline</td>
<td>Increase 5%</td>
<td>Increase 5%</td>
<td>Increase 5%</td>
</tr>
</tbody>
</table>

**State Priority #5.** Pupil engagement, as measured by all of the following, as applicable:

A. School attendance rates
B. Chronic absenteeism rates
C. Middle school dropout rates (EC §52052.1(a)(3))
D. High school dropout rates
E. High school graduation rates

<table>
<thead>
<tr>
<th><strong>ANNUAL GOALS TO ACHIEVE PRIORITY #5</strong></th>
<th><strong>ACTIONS TO ACHIEVE ANNUAL GOALS</strong></th>
<th><strong>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will cultivate an environment that promotes pupil engagement.</td>
<td>The Charter School will track pupil engagement, as measured above, on an annual basis. The data and information gathered from our annual student survey will also inform school leaders.</td>
<td>A. School attendance rates Target is 95% attendance rate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>B. Chronic absenteeism rates</td>
</tr>
</tbody>
</table>
State Priority #6. School climate, as measured by all of the following, as applicable:

A. Pupil suspension rates
B. Pupil expulsion rates
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #6</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
</table>
| The Charter School will provide a positive school climate and comply with the principals of the Discipline Foundation Policy. | The Charter School will track the progress of school climate, as measured above. The data and information gathered from our annual student survey will also inform school leaders. | A. Pupil suspension rates
Reduce suspension rate by 25% each year, with end goal of school-wide suspension rates below 5%
B. Pupil expulsion rates
Target of zero expulsions
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness
>80% of families will agree or strongly agree that students feel supported, respected, and that there is a clear set of conduct and rules in place. |

State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with
exceptional needs.

“Broad course of study” includes the following, as applicable:
Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #7</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will provide pupils with the opportunity to have access to and enroll in a broad course of study.</td>
<td>Through course offerings and enrichment afterschool, along with access to and scheduling which allows for participation in classes and clubs by outside providers, students will be provided with a broad course of study.</td>
<td>Principal to annually review course offerings to ensure broad course of study is available.</td>
</tr>
</tbody>
</table>

**State Priority #8.** Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

<table>
<thead>
<tr>
<th>ANNUAL GOALS TO ACHIEVE PRIORITY #8</th>
<th>ACTIONS TO ACHIEVE ANNUAL GOALS</th>
<th>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Charter School will track pupil outcomes in a broad course of study.</td>
<td>The Charter School will track participation in afterschool programs, in addition to Aspire course grades. That data will be used to make changes to course offerings and enrichment opportunities as necessary.</td>
<td>80% of students receive a C or better in all courses. (5 percentage point increase annually until target is met)</td>
</tr>
</tbody>
</table>

**COLLECTING, ANALYZING, AND REPORTING DATA**

Aspire will collect and analyze data on student achievement on a regular basis and will provide student achievement data to staff, parents and guardians, and the District:

- Staff will receive data on student achievement during staff meetings using the Data Portal and will use this data to help monitor and improve Aspire’s education program;
• The Principal and other administrators will receive data on the Charter School’s student achievement, attendance, and discipline using Aspire’s Admin Data Portal and Principal Operational Dashboard;

• Parents and guardians will receive data on student achievement when they meet with their child’s teacher to develop, modify, or review their child’s PLP; and

• The District will receive data on student achievement through School reports and/or presentations.

Aspire uses the State Standardized Testing Data and Reports to assist in identifying strengths and weaknesses at a student, classroom, grade level, school and organization. Additionally, California Physical Fitness test will be administered and used to inform the school program. Every summer each school will have a staff retreat where the data will be analyzed. School wide plans for professional development will be based on these plans.

Aspire uses many in-house assessments which inform daily instruction. Three Aspire assessments provide the best benchmarks of a student’s progress towards reaching the state standards.

Reading Assessment

In grades K-8, the Developmental Reading Assessment (DRA) is used to benchmark students reading achievement at least three times a year. This assessment tool measures students’ independent reading level and instructional path to help teachers guide students to the next reading level. It not only allows a teacher to listen for decoding, fluency and strategies, it also allows a teacher to measure comprehension. The DRA levels span from 1 to 70 to show incremental reading growth. Aspire has set benchmarks for every grade level. Each teacher has similar weekly assessments that she/he uses in the classroom for instruction.

Aspire Writing Assessment

Two times a year every student in the Charter School takes a writing assessment. The prompts change and are aligned with the genres specific to the CA CCSS grade level standards. The papers are scored with other Aspire staff including teachers and instructional coaches to ensure validity of scores. The rubric for scoring is aligned with the writing rubric used by the state, as well as the sample papers provided in the CA CCSS standards. Benchmarks are set for every grade level. These scores are analyzed two times a year.

Aspire Math Assessment
Every student takes an Aspire math assessment based on the specific grade level standards. The assessments include both computation and a problem solving section. The computation is scored with Edusoft software. The problem solving is scored with Aspire teachers. A task analysis is done of every paper, so that teachers can identify standards that need to be re-taught. After every administration of the benchmark exams, the student data is analyzed at several levels – classroom, grade level, school and Aspirewide.

If any student is not making sufficient progress to meet the benchmarks created by Aspire, teachers, parents or administrators begin a Student Success Team. From this meeting an action plan is created to support the student.

Annually, the status of the Charter School will be reported using a School Health Dashboard. This tool allows Aspire’s Senior Leadership Team to evaluate a school on more than one facet. At the beginning of the year, the dashboard will help the Senior Leadership Team identify schools that require more focused attention and support. On an on-going basis, this dashboard will also be used to monitor progress of schools on a monthly basis. Specifically, the dashboard reports on:

- Student achievement: Academic Performance Index, course grades, behavior, and internal benchmark scores;
- Affiliation: results on the staff, parent, and student surveys, teacher retention; and
- Financial: actual versus budget and forecast; average daily attendance.

**Measurable Goals of the Educational Program**


Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

**Standardized Testing**

Charter School agrees to comply with and adhere to the State requirements for participation and administration of all state mandated tests. If Charter School does not test with the District, Charter School hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as Charter School.

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8 Until the state creates a new Academic Performance Index based on the CCSS assessments, the School will use the % of students proficient as a benchmark for progress.
Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

**External Reporting**

Aspire maintains sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies.

**Grading, Progress Reporting, and Promotion/Retention**

- **Grading Policy:**

  Students earn grades based on established performance levels as described in the below table. In pursuit of our college for certain mission, students do not earn high school credits for any course in which they receive less than a C-.

  When grades are given for any course of instruction, the grade given to each student shall be the grade determined by the teacher of record for the course, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetence the grade shall be final (Education Code 49066a).

  Teachers may make changes to grades until they have been stored in PowerSchool. After grades are stored, teachers are prohibited from changing grades without securing the approval of the school site principal, the Area Superintendent, and the Director of Secondary. All grade changes will be documented in student's cumulative folder using the official Aspire "Grade Change" form and requests for changes will only be accepted for 21 school days after the official close of the marking period. Teachers wishing to change a student's grade after grades have been stored should apply the following criteria:

  - The student had extenuating circumstances that prohibited the student from completing the course on time (example: automobile accident, serious illness).
  - The student did not receive adequate materials to complete the course (example: textbook)
  - The grade should not be changed if the student made little or no effort to complete the assignments or solicit support during the time span of the course
  - The school should present available options for making up the course to the student that has failed a graduation requirement: repeating the course, enrolling in a college class, summer school or an online course.
<table>
<thead>
<tr>
<th>Grade</th>
<th>SIS Cutoff Value</th>
<th>4.0 Point Scale Unweighted</th>
<th>5.0 Point Scale Weighted</th>
<th>Description</th>
</tr>
</thead>
</table>
| A+    | 97              | 4.00                      | 5.00                     | - Demonstrates exceptional progress in meeting content standards at his or her grade level and acquiring the knowledge, skills, and habits on assignments, class participation, projects, and tests to be ready to take high school college preparatory courses in that subject.  
- Produces notably superior work and receives consistently high marks on class tests.  
- Does all assigned work plus additional work.  
- Shows superior ability to learn facts, principles, and skills; applies them to new situations.  
- Demonstrates creativity and originality.  
- Assumes active, alert leadership in learning activities.  
- Is on or above grade level in classes where grade level standards exist. Shows capabilities in critical thinking related to the subject. |
| A     | 93              | 4.00                      | 5.00                     | - Masters fundamentals thoroughly, and does above average daily work; receives consistently above-average marks on class tests.  
- Does all assigned work plus some additional work.  
- Shows above average ability to learn and apply facts, principles, and skills.  
- Does some independent work, showing initiative and originality.  
- Assumes active, alert role of follower, and shows some leadership in learning activities. |
| A-    | 90              | 3.70                      | 4.70                     | - Shows satisfactory grasp of fundamentals and receives consistently average marks on class tests.  
- Does assigned work, and usually makes up work missed.  
- Shows average ability to learn and apply facts, principals, and skills.  
- Shows average ability in critical thinking, and some originality.  
- Follows class activities and makes some contribution. |
| B+    | 87              | 3.30                      | 4.30                     | - The student demonstrates inconsistent progress in meeting content standards at his or her grade level and acquiring the knowledge, skills, and habits on assignments, class participation, projects, and tests to be ready to take high school college preparatory courses in that subject.  
- Shows below average growth in understanding of the subject.  
- Receives consistently below-average marks on tests.  
- Does less than the average amount of assigned work, and seldom makes up work missed.  
- Shows below-average ability or initiative in learning and applying facts, principals, and skills.  
- Participates inadequately or ineffectively in learning activities.  
- Shows below average ability or initiative in critical thinking and creativity. |
| B     | 83              | 3.00                      | 4.00                     | - |
reports to families as they take place. For example, these progress report updates include math COI data, spelling/vocabulary assessments, reading assessments (DRA), or any pre/post writing snapshots.

- Promotion/Retention Policy and Procedures:

**Retention Policy:** Students not meeting the following criteria will be recommended for retention in their current grade based on their proficiency in core subjects in accordance with State Board of Education (SBE) requirements:

(Grades 3-6) Students that fail to achieve the minimal level of proficiency (PROFICIENT) in accordance with SBE Section 60648 on the CAT6 (California Achievement Test, version 6) and/or CST (California Standards Test) in Mathematics or Reading and Language Arts (or equivalent on future required state tests)

(or)

Any student who is more than one year behind grade level (as determined by a Far Below Basic or Below Basic score on the child’s report card) in Mathematics or Reading and Language Arts (or equivalent on future required state tests).

(or)

(Grades K-2) Any student who is not at benchmark based on 1) Developmental Reading Assessment or 2) Math benchmark assessments or 3) Aspire reading benchmark assessment or 4) report card grades.

Kindergarten students will be retained only if the teacher and parent are in agreement that retention is the best intervention to insure student success.

An identified student that is performing below the minimum standard for promotion shall be retained in their current grade unless the student’s teacher determines in writing that retention is not the appropriate intervention for the student’s academic deficiencies. The teacher’s recommendation to promote is contingent upon a detailed plan to correct deficiencies.

**Procedures for Retention**
The following steps will take place prior to a student being retained:

1. Letter to parents informing the parents that their child is at risk of retention.
2. The teacher’s evaluation shall be provided to and discussed with the student’s parents or guardian and the principal before any final determination of pupil retention. The parents are informed at that meeting that their child is recommended for retention. This meeting is documented with an academic support plan signed by both the teacher and parent.
3. Upon the acceptance or rejection of the above stated reports by the principal, a letter shall be sent within five school days to formally inform the student's parents or guardian of the principal's decision regarding the retention.

4. The parents or guardians shall have the right to appeal the decision to retain to the Chief Academic Officer of Aspire Public Schools. If the decision of the Chief Academic Officer is not in agreement with the parents/guardians, the parents have the right to appeal directly to the Aspire Public Schools Chief Executive Officer.
Element 4: Governance

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

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

ASPIRE PUBLIC SCHOOLS BOARD OF DIRECTORS

The Charter School is an independent charter school governed by the Aspire Board of Directors. The biographies and resumes of the current Aspire Board of Directors are attached in TAB 8. Aspire is a California, nonprofit, public benefit corporation. Proof of Aspire’s tax exempt status is attached in Appendix F.

As an independent charter school, the Charter School, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Charter School.

The Charter School will comply with the Brown Act and the Public Records Act.

Aspire is governed by the Aspire Public Schools Board of Directors in accordance with California’s Charter Schools Act and the Nonprofit Public Benefit Corporation Law. The Charter School will be governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. Copies of the current Aspire Board’s articles of incorporation, by-laws, and conflicts code are attached in TABS 6b, 6c, and 6d) but not incorporated herein by reference.

All employees and representatives of Charter School, including members of Aspire’s governing board, members of school or governing board committees or councils, school administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD’s charter school policies, regarding ethics and conflicts of interest.

The Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter.

The Charter School shall post all governing board meeting minutes and bylaws on the Charter School’s public website (http://aspirepublicschools.org/about/accountability/) in accordance with the Brown Act.

Aspire complies with all applicable federal, state and local laws applicable to its operation. It will retain its own legal counsel when necessary. It will purchase and maintain as necessary general liability, property, workers’ compensation and unemployment insurance policies.
The Aspire Board of Directors currently consists of a maximum of 11 regular members plus one seat for every sponsoring authority. The District reserves the right to appoint a single representative to the Aspire Board of Directors pursuant to Education Code section 47604(b). The Board of Directors is responsible for establishing broad policies that affect all Aspire schools. For example, the Board of Directors and its Executive Committee may set policies related to staff hiring, benefits and compensation, conditions for student suspension or expulsion, controversial issues that affect more than one school site and teacher, and principal and staff compensation criteria. Members of the Board may also participate in raising funds and increasing public awareness of Aspire's work.

The Board is also responsible for monitoring the programmatic, operational and financial health of all Aspire schools and the organization collectively in order to identify and highlight risks and guide efforts to mitigate those risks.

Aspire takes a conscientious approach to recruiting and selecting new Board members. Aspire’s Board and CEO conduct extensive due diligence to ensure that new Board members are a strong cultural fit with the organization, will add value in specific areas and, most importantly, contribute to Aspire’s growth and success.

The recruitment, evaluation and selection of new Board members typically are conducted through the following six-step process.

**Step 1:** Solicit nominations and compile names
**Step 2:** Initial meeting with nominating Board member
**Step 3:** Nominator reports back to the Board
**Step 4:** Prospective member meets with CEO, other Board members and staff
**Step 5:** Visit schools and attend Board meeting(s)
**Step 6:** Final meeting with CEO or nominator

Once a candidate completes this process a decision will be issued by the Board based on a majority vote. The term of any Board member shall not exceed six years. All Board meetings are noticed and held in compliance with the provisions of the Brown Act. A majority of the directors then in office constitutes a quorum. All acts or decisions of the Board are by majority vote based upon the presence of the quorum. Participation through teleconference is permitted and in accordance with the Brown Act.

At a high level, there are three broad categories that define what characteristics Aspire looks for in prospective Board members:

**Skill Set** – All Board members must have expertise in an area that is valuable to Aspire’s operations, especially where there are gaps in the board skill set.

**Fundraising Capacity** – All board members are required to give a personally meaningful gift, and support the fundraising program of the organization

**Diversity** – Geographic, ethnic and gender diversity are very important factors.

The departmental organizational charts for the entire Aspire organization is included in Appendix G, and Aspire’s comprehensive organization chart is below.
FAMILY AND COMMUNITY INVOLVEMENT

There will be a teleconference line and video broadcast available in a conference room at Aspire - Junior Collegiate Academy (JCA) located at 6724 Alameda Street in Huntington Park, CA. An Aspire staff member will be present in the conference room at JCA to assist any parents who would like to participate via phone or video broadcast. The Board Meeting teleconference number will be posted on all Board agendas. The Brown Act will be followed with regard to teleconferencing.

All meeting agendas are posted in accordance with the Brown Act. All meetings of the Board are meetings in which the public may attend and participate.

The Board agendas, meeting times, and locations are posted in advance on our website and at the specific locations, in accordance with the Brown Act. Local stakeholders will have access to Board of Directors meetings pursuant to the procedures in place designed to comply with the Brown Act.

Board meetings are typically held at the principal office of Aspire Public Schools, currently 1001 22nd Ave, Oakland, CA 94606 and is subject to change. Regular Board meetings are typically held 5 times per year. Executive Board meetings are typically held every month. Frequency and location of Regular and Executive Board meetings are subject to change and noticed in accordance with Brown Act. Special and Emergency Board meetings can be called according to Brown Act. The Annual meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors, in compliance with Brown Act.

Aspire encourages all groups to participate in and share responsibility for the educational process and educational results. In order to achieve this important end, the Charter School shares local control with an Advisory School Council ("ASC"), consisting of family and school representatives. The Charter School's ASC participates in developing school policies and shares in efforts to engage the support of the community, including fundraising events and other school functions. The ASC has the power to make recommendations about issues related to the Charter School and participates in reviewing family and community concerns. The ASC consists of representatives of the following parties: the principal, teachers, and family members. The principal is responsible for communicating all ASC policy recommendations to the Aspire Board of Directors. In short, Aspire's Board of Directors oversees issues related to Aspire schools in general, while the ASCs focus on the day-to-day concerns of each respective Aspire school.

ADDITIONAL OPPORTUNITIES FOR FAMILY INVOLVEMENT

- Families, students and teachers meet at least twice a year to plan and assess the students' learning progress and determine goals

- Exhibition panels – families may sit on panels to judge student work

Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019
- School and staff evaluations – families fill out a survey each year evaluating the strengths and weaknesses they identify with the program at the Charter School.

- Student-led conferences – students will lead conferences on their work during the year to keep their families informed.

- Volunteer Opportunities – various opportunities will arise for families to volunteer, such as helping in classrooms, leading extra-curricular activities, assisting in event planning, attending study trips, and serving on family committees.

- Fundraising – families and community members may work with the Charter School to raise additional resources to support students and the school program.

- Advocacy – families and community members communicate the school design and outcomes to the public, educators and policy makers and advocate for necessary policies and resources.

- Aspire Board of Directors meetings – families and community members are welcome to the Board meeting. In compliance with the Brown Act, Aspire posts the agenda for Aspire Board of Directors meetings at least 72 hours prior to the meeting.

**ADDRESSING FAMILY CONCERNS AND COMPLAINTS**

Aspire is committed to working with families to address family concerns and complaints. Families will be encouraged to share their ideas and concerns with the Charter School and Aspire throughout the school year.

Aspire has established a formal complaint process to address any family complaints about the employees or employment practices of the organization. Aspire has issued a Uniform Complaint Procedure Policy and a Community Complaint Form. The revised Uniform Complaint Policy that was approved by the Board on September 4, 2013. Finally, Aspire is committed to providing a safe, discrimination-free and harassment-free education to its students. To help achieve this important end, Aspire has established a formal Discrimination/Harassment Policy and Complaint Procedure, attached in Appendix H.

**Title IX, Section 504, and Uniform Complaint Procedures**

Charter School shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504), including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by.
these laws. Charter School shall notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, if any, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

Charter School shall extend its uniform complaint procedure to complaints pursuant to the local control funding formula. (Cal. Educ. Code section 52075).

**Legal and Policy Compliance**
The Charter School will comply with the District policy related to charter schools, as it may be changed from time to time after notice and reasonable opportunity for input from the Charter School Collaborative.

**Responding to Inquiries**
The Charter School, including its nonprofit corporation, shall promptly respond to all inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. The Charter School, including its nonprofit corporation, acknowledges that it is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General.
If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School’s operations is received or discovered by the District, Charter School shall cooperate with any resulting investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

**Notification of the District**
The Charter School shall notify the Charter Schools Division in writing of any citations or notices of workplace hazards, investigations by outside regulatory or investigative agencies, lawsuits, or other formal complaints, within one week of receipt of such notices by the Charter School.

**TRANSFER OF STUDENT RECORDS**
When a student transfers for any reason from Charter School to any other school, Charter School shall transfer the student’s complete cumulative record within 10 school days of receiving a records request from the receiving school. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 16.
Element 5: Employee Qualifications

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

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

Aspire will recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. Aspire believes that all of its employees play a key role in creating a successful learning environment and will recruit qualified employees throughout the organization. Aspire recognizes that employment is voluntary, and the Aspire Board of Directors shall not require any employee to be employed at an Aspire school. The Charter School will conduct background checks on employee candidates to provide for the health and safety of the Charter School’s faculty, staff, and pupils and the academic success of the pupils. Aspire’s Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Employees will meet specific qualifications for employment as outlined in their job descriptions. Teachers at each school will meet all requirements for employment set forth in applicable provisions of law, including credential requirements outlined in Section 47605(l) of Charter Schools Act and the Elementary and Secondary Education Act. As provided in the Charter Schools Act, the Charter School is afforded flexibility with regards to noncore, noncollege preparatory courses (e.g. music, physical education, various electives, etc.). The educational and skill level qualifications and job descriptions of teachers to be employed in the Charter School shall meet the educational goals as outlined in this charter.

EQUAL EMPLOYMENT OPPORTUNITY

The Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

NCLB AND CREDENTIALING REQUIREMENTS

The Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers meet the requirements for employment set forth in California Education Code section 47605(l). Teachers of core and/or college preparatory subjects, and special education teachers, must hold and maintain a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in a non-charter public school would be required to hold in the same assignment. Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

PRINCIPAL QUALIFICATIONS
The Charter School’s Principal will be the instructional leader at the Charter School and will be responsible for helping the Charter School and students achieve the outcomes outlined in this charter petition.

The Charter School’s Principal will have the following qualifications:

Required knowledge, skills, and abilities:
- Superb communication and community-building skills
- Deep knowledge of curriculum development and elementary program design
- A record of success in developing teachers
- Entrepreneurial passion

Required educational level:
- Bachelor’s degree
- Masters or Ph.D. in Education preferred

Required experience:
- 7 plus years teaching and administrative experience
- 3 plus years working with urban students as a full-time teacher preferred
- Experience in performance assessment

OFFICE MANAGER QUALIFICATIONS

The Office Managers are responsible for overall front office activities, will report to the Principal, and will work with students, parents, and outside parties. The Office Manager will have the following qualifications:

Required knowledge, skills, and abilities:
- Strong organizational, time management, and multi-tasking skills
- Strong interpersonal and communication skills
- Expedience in office management capacity
- Ability to work independently as well as with a team

Required educational level:
- A.A. degree or equivalent work experience

Required experience:
- 4 plus years in fast-paced administrative support position
- Experience in school front office preferable
- Proficiency with Microsoft Office

TEACHER QUALIFICATIONS

Criteria for the selection of teachers are adapted from the five standards used for certification from the National Board for Professional Teaching Standards. During the hiring process, candidates are evaluated using these standards:
1. Committed to students and learning
2. Knowledgeable about their subject matter
3. Skilled in management of learning
4. Reflective in their practice
5. Community-oriented

In addition, teachers of core, college preparatory courses at each Aspire school will be required to hold a California Commission on Teacher Credentialing (CCTC) certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Teachers who are hired to teach a specific subject (e.g. math) will be required to hold a subject-specific credential or permit from the CCTC. In accordance with Education Code Section 47605(f), flexibility shall be given with regard to noncore, non-college preparatory courses.

Additionally, teachers shall meet all applicable requirements to be highly qualified under the Elementary and Secondary Education Act.

TEACHER HIRING

As a public charter school organization with a clearly defined focus, Aspire tends to attract educators interested in working in more accountable, innovative, collaborative environments—teachers and principals who are themselves educational entrepreneurs. A rigorous and sound process for selecting from the pool of teacher candidates is essential. Aspire’s multiple-stage approach includes: a resume screen; interview with a site hiring committee (discussed below); demonstration lesson with students; and reference checks.

The Principal will be in charge of making School hiring decisions and may have the opportunity to work with other staff and community members in making these decisions. The Charter School will utilize a hiring team that includes some or all of the following individuals:

- **Principal**: Chairs the hiring committee and makes all final decisions on hiring for the Charter School.
- **Office Manager**: Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; collecting score sheets; coordinating with current staff or participating students for demonstration lessons; and sending declined candidates’ paperwork to Aspire’s Home Office.
- **Teachers**: Actively participate in evaluating candidates through interview and demonstration lesson observation.
- **Parents**: Actively participate in evaluating candidates through the interview process, observe demonstration lessons and provide input.

PROFESSIONAL DEVELOPMENT
Once teachers are hired, Aspire invests in their continued professional development. Teachers new to Aspire participate in 1 week of training and four follow-up trainings to become fluent in the Aspire education program; Aspire culture, literacy instruction, math instruction, rigorous interdisciplinary instruction, parent engagement and time with other team members examining student data. Each subject training includes professional development about assessing student achievement, classroom management and differentiating instruction. Teachers also receive ongoing PD that takes place weekly on minimum days. Weekly PDs are based on the specific needs of the Charter School. The topics are determined by the principal with input from the lead teachers. They may be run by the principal, a lead teacher, an outside expert, or an instructional coach.

In addition, Aspire conducts several school-year workshops in specific areas. The Charter School Principal, in his/her capacity as instructional leader, provides on-site coaching. Teachers are organized into teams, led by an experienced “lead teacher” who has the skills to mentor others. Teachers are then able to collaborate and support each other to reach the Charter Schools’ and individual students’ learning goals. Aspire also has instructional coaches who provide additional support, provide one-on-one consultation, and conduct experience-based group sessions (e.g. New Teacher Support Program). Teachers are observed a minimum of four times a year by their School Principal or a designee according to the Aspire Instructional Rubric which is based on the Danielson framework. A copy of Aspire's Evaluation Tool is attached in Appendix I.

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Footnote:

9 The Framework for Teaching, created by Charlotte Danielson, is a comprehensive and coherent framework that identifies those aspects of a teacher’s responsibilities that have been documented through empirical studies and theoretical research as promoting improved student learning. The Framework for Teaching is a validated instrument; that is, studies have shown that teachers who receive higher ratings on their evaluation produce greater gains in student test scores.
Element 6: Health and Safety Procedures

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

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

In order to provide safety for all students and staff, Aspire has adopted and implemented full health and safety procedures and risk management policies at each school site in consultation with its insurance carriers and risk management experts. The Charter School’s site health and safety plan is attached in Appendix J.

Health, Safety and Emergency Plan
The Charter School will have a Health, Safety and Emergency Plan in place prior to beginning the operation of the Charter School. The Charter School will ensure that staff has been trained in health, safety, and emergency procedures and will maintain a calendar and conduct emergency response drills for students and staff. The Charter School shall periodically review and modify as necessary, its Health, Safety and Emergency Plan, and keep it readily available for use and review upon CSD request.

FERPA
The Charter School, its employees and officers will comply with the Family Educational Rights and Privacy Act (FERPA) at all times.

Criminal Background Checks and Fingerprinting
Charter School shall require all employees of the Charter School, and all volunteers who will be performing services that are not under the direct supervision of a Charter School employee, and any onsite vendors having unsupervised contact with students to submit to criminal background checks and fingerprinting. The Charter School will maintain on file and available for inspection evidence that the Charter School has performed criminal background checks for all employees and documentation that vendors have conducted required criminal background checks for their employees prior to any unsupervised contact with students. The Charter School shall also ensure that it receives subsequent arrest notifications from the Department of Justice to ensure the ongoing safety of its students.

Immunization and Health Screening Requirements
Charter School shall require its employees, and any volunteer, vendor, or independent contractor who may have frequent or prolonged contact with students, to be examined and determined to be free of active tuberculosis as described in Education Code section 49406. Charter School shall maintain TB clearance records on file.

Charter School shall provide for the immunization and health screening of its students, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as
would be required if the students were attending a non-charter public school. Charter School shall maintain immunization records on file.

ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS

All non-certificated and certificated staff are mandated child abuse and neglect reporters at Aspire Public Schools. This includes Home Office and Regional Support Staff who may be on campus at any given time. All staff are trained on recognizing and reporting child abuse each year and are expected to comply with state reporting laws.

At a minimum, this means that all staff know they are required to report suspected child abuse and/or neglect as soon as possible via phone to applicable county agencies or law enforcement and to follow up within 36 hours with a written report (either paper copy or through the online reporting system for LA).

Additionally, Aspire maintains links to applicable agencies on their internal website for teachers who may need review of guidance received in the trainings and Aspire counselors are trained in supporting teachers in making reports, as well as being mandated reporters themselves.

TUBERCULOSIS TESTING

Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

IMMUNIZATIONS

All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

MEDICATION IN SCHOOL

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school and will abide by all guidance as issued by the California Department of Education and applicable law.

VISION, HEARING, AND SCOLIOSIS

Aspire will adhere to Education Code Section 49450, et seq., regarding vision, hearing, and scoliosis screening as applicable to the grade levels served by the Charter School.

EMERGENCY PREPAREDNESS

The Charter School shall adhere to Emergency Preparedness Procedures drafted specifically to the needs of the Charter School. These procedures shall include, but not be
limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site may be used as a starting basis for updating the procedures for the Charter School.

**Blood Borne Pathogens**

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

**Drug Free/Alcohol Free/Smoke Free Environment**

The Charter School shall function as a drug, alcohol and tobacco free workplace.

**Facility Safety**

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

**Comprehensive Sexual Harassment Policies and Procedures**

Aspire is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Aspire has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct).
Element 7: Means to Achieve Racial & Ethnic Balance

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

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

Aspire will strive to ensure that the student population of the Charter School will be reflective of the general population residing within the territorial jurisdiction of the District. Aspire will monitor the racial and ethnic balance among its students on an annual basis and will engage in a variety of means and strategies, including monitoring and revising its student outreach plan on an annual basis, to achieve a racially and ethnically diverse student population. These strategies cover a broad-based recruiting and application process every year during Open Enrollment:

- Outreach efforts via parent volunteers, neighborhood groups, community organizations, churches, local prominent businesses, other leadership organizations, and local preschools.
- Marketing brochures targeted toward diverse populations.
- Outreach to the Huntington Park neighborhood with flyers, local newspaper advertisements and attendance at local events to advertise and recruit students for the Charter School.
- Aspire – Antonio Maria Lugo Academy will also host open houses to provide information on the Charter School's curriculum and program.
- All outreach and recruiting efforts are done in English and Spanish.
- Aspire – Antonio Maria Lugo Academy does recruitment efforts for academically low-achieving and economically disadvantaged students.

The Charter School is committed to ensuring that all students and families involved with our outreach and process are made to feel welcome and respected. The geographic area surrounding the school site in Huntington Park will be targeted in outreach efforts. The demographics for the 90255 Zip code indicate that the community is 97.2% Latino, 1.6% White, 30% Black or African American, 0.10% American Indian and Alaska Native, 0.50% Asian, 0.10% Other Race, and 0.10% Two or More Races. Aspire [insert name of school] is committed to upholding the District’s ethnic balance goal and the school’s outreach and recruitment efforts described above will support this.

Aspire shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

COURT-ORDERED INTEGRATION

Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained.

Aspire Antonio Maria Lugo Academy Charter Renewal Petition 2014-2019
pursuant to the Crawford court order, by Student Integration Services (collectively the "Court-ordered Integration Program"). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

The Charter School will provide a written plan in the Charter petition and upon further request by the District outlining how it would achieve and maintain the LAUSD's ethnic goal of 70:30 or 60:40 ratio. *(Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)).* The written plan should list specific dates, locations and recruitment activities to achieve the District's Racial and Ethnic Balance goal. Charter School shall monitor the implementation and outcomes of the initial plan, and modify it as necessary to achieve its goals. Upon request, Charter School shall provide the District with a copy of its current written plan.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. Instead, the District now receives the Targeted Instruction Improvement Grant (TIIG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIG funding, where available, and cannot guarantee the availability of this Funding.

No Child Left Behind—Public School Choice (NCLB-PSC) Traveling Students

The District and the Charter School are committed to providing all students with quality educational alternatives in compliance with all federal and state laws, including students who are enrolled in schools of the District identified by the California Department of Education as in need of Program Improvement. No Child Left Behind—Public School Choice ("NCLB-PSC") placement with charter schools is an alternative strongly encouraged by the No Child Left Behind Act of 2001 ("NCLB"). The Charter School agrees to discuss with the District the possibility of accepting for enrollment District students participating in the District's NCLB-PSC program. The parties agree to memorialize separately any agreed-to number of NCLB-PSC placements of District students at the Charter School.

As required under NCLB, all NCLB-PSC students attending the Charter School shall have the right to continue attending the Charter School until the highest grade level of the charter. However, the obligation of the District to provide transportation for a NCLB-PSC student to the Charter School shall end in the event the NCLB-PSC student's resident District school exits Program Improvement status.

The Charter School will ensure that all of its NCLB-PSC students are treated in the same manner as other students attending the Charter School. NCLB-PSC students are and will be eligible for all applicable instructional and extra-curricular activities at the Charter School. The Charter School will make reasonable efforts to invite and encourage the participation of the parents of NCLB-PSC students in the activities and meetings at the Charter School.

Determination of student eligibility for this NCLB-PSC option, including the grade level of eligibility, will be made solely by the District, based on the District's NCLB-PSC process, guidelines, policies and the requirements of NCLB. In the event demand for places at the Charter School under the NCLB-PSC program increases in subsequent years, the Charter
School agrees to discuss with the District the possibility of increasing the number of NCLB-PSC places available at the Charter School.

**FEDERAL COMPLIANCE**

As a recipient of federal funds, including federal Title I, Part A funds, Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act of 2001 (NCLB) and other applicable federal grant programs. Charter school understands that it is a local educational agency [LEA] for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified

- Develop jointly with, and distribute to, parents of participating children, a school-parent compact

- Hold an annual Title I meeting for parents of participating Title I students

- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy

- Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds

- Complete and submit Local Education Agency (LEA) Plan to CDE

- Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I schoolwide status, if applicable; otherwise, identify and maintain roster of eligible students for the Title I Targeted Assistance School Program

- Maintain inventory of equipment purchased with categorical funds, where applicable; and

- Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable

Charter School also understands that as part of its oversight of the Charter School, the District may conduct program review of federal and state compliance issues.
Element 8: Admission Requirements

Admission requirements, if applicable.

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

Aspire will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

Aspire shall admit all pupils who reside in the State of California who wish to attend the Charter School subject to the provisions set forth below. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. Aspire will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

The Aspire application process is comprised of the following:

- Completion of a Student Interest Form for each child who is interested in attending the Charter School.

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing Aspire students who are guaranteed enrollment in the following school year. Enrollment preferences in the case of a public random drawing shall be as follows:

- Siblings of students already admitted to the Charter School
- Founding Families (not to exceed 10%) and children of Aspire Regular employees (not to exceed 10%) who reside in the District
- Children residing within the District
- Founding Families (not to exceed 10%) and children of Aspire Regular employees (not to exceed 10%) who do not reside in the District
- All other students who reside in the state of California

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a waitlist according to their draw in the lottery. This waitlist will allow students the option of enrollment in the case of an opening during the current school year.

In no circumstance will a waitlist carry over to the following school year.

Upon confirmation that a student has secured a spot at the Charter School, parents must submit a completed Registration Form.
PLANNED APPLICATION, PUBLIC RANDOM DRAWING, AND ADMISSION SCHEDULE

Aspire typically utilizes the following application, public random drawing, and admission schedule. The schedule below may be abbreviated to ensure all steps are followed within a shorter timeframe.

**December – January**
Recruit students (via referrals, networking, and holding enrollment and option fairs). Collect Student Interest Forms.

**January - March**
Send re-enrollment forms to existing students to identify open seats. All families are contacted through mail, in person conversations and phone calls to retrieve reenrollment forms. Public random drawing conducted (if necessary).

**March - May**
Waitlist letters distributed to applicants not selected in the public random drawing. Acceptance letters and registration packets distributed to parent and children who have been drawn in the public random drawing.

**McKinney-Vento Homeless Assistance Act**

The Charter School will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. The Charter School will include specific information in their outreach materials, websites, at community meetings, open forums, and regional center meetings that notifies parents that the Charter School is open to enroll and provide services for all students, and provides a District standard contact number to access additional information regarding enrollment. A student’s IEP will never be required prior to participation in any attendance lottery or as a condition for enrollment.

**Non-Discrimination**

The Charter School shall not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. The Charter School may request, at the time of, and as part of, conducting its lottery process, the
provision of information necessary to apply specific admissions preferences set forth in this Charter.

The Charter School shall not request or require submission of a student’s IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.
Element 9: Annual Financial Audits

The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

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

The annual audit shall be conducted in compliance with the California Education Code 47605(b)(5)(I) as it is amended from time to time.

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD, each year:

a. Provisional Budget – Spring prior to operating fiscal year
b. Final Budget – July of the budget fiscal year
c. First Interim Projections – November of operating fiscal year
d. Second Interim Projections – February of operating fiscal year
e. Unaudited Actuals – August 15 following the end of the fiscal year
f. Audited Actuals – December 15 following the end of the fiscal year
g. Classification Report – monthly according to school’s Calendar
h. Statistical Report – monthly according to school’s Calendar of Reports

In addition:

- P1, first week of January
- P2, first week of April
- Instructional Calendar – annually five weeks prior to first day of instruction
- Other reports as requested by the District

Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter, or if applicable, referred to the Education Audit Appeal Panel (EAAP) appeal process as required by Education Code Section 41344. The independent financial audit of the Charter School is a public record to be provided to the public upon request.
Element 10: Suspension and Expulsion Procedures

The procedures by which pupils can be suspended or expelled.

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

The policies and procedures for suspension and expulsion will be periodically reviewed and the list of offenses for which students are subject to suspension and expulsion will be modified as necessary and based on California Education Code. The Charter School will notify the District of any expulsions. The Charter School will account for suspended or expelled students in its average daily attendance accounting as provided by law. In accordance with Education Code §47605(d)(3), upon expulsion of any student, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.

GENERAL PROVISIONS

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about the District's Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students. This means that the Charter School shall be responsible for maintaining the educational access of students during and pending the completion of the Charter School's student expulsion process and shall facilitate this access through home and independent study. The Charter School is not required to maintain the enrollment of the expelled student until they find placement in another LEA.

The Charter School will facilitate placement of expelled students by communicating with LAUSD within 5 days of when a student is expelled. In this communication, the Charter School will provide a copy of the findings from the expulsion hearing which includes the reason for the expulsion, terms of expulsion and terms of rehabilitation. The Charter School will also provide all academic and behavioral records to any LEA requesting the records for any expelled student within 10 school days per Education Code 49068.
Charter School shall be responsible for maintaining the educational access of students during and pending the completion of the Charter School's student expulsion process and shall facilitate this access through home and independent study. Additionally, accommodations, modifications and other services protected under IEP or 504 plans for any particular student will be provided during and pending the completion of the Charter’s School’s student expulsion process as required by law.

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g., truancy or excessive tardiness.

Notwithstanding the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the Superintendent of the student’s district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code sections 49068 (a) and (b).

**STUDENTS WITH DISABILITIES**

Charter School shall implement operational and procedural guidelines ensuring compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team, including a District representative, will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, Charter School’s administrator will convene a Link Determination meeting to ask the following two questions:

A. Was the misconduct caused by, or directly and substantially related to the student’s disability?
B. Was the misconduct a direct result of the Charter School’s failure to implement 504?

**OUTCOME DATA**

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.
REHABILITATION PLANS

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School’s Administrative Panel at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

READMISSION

Charter School’s governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School’s governing board shall readmit the pupil; unless Charter School’s governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil’s parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil’s parent/guardian within a reasonable time.

REINSTATEMENT

Charter School’s governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

GUN FREE SCHOOLS ACT

Charter School shall comply with the federal Gun Free Schools Act.

Discipline Foundation Policy

Aspire believes that all students have the right to learn in a safe, respectful and welcoming environment. The implementation of a school-wide behavior intervention and discipline plan is essential to the creation of this type of environment and the success of our students and teachers both behaviorally and academically.

Below you will find the school-specific behavior support and discipline plan. The Charter School uses a B-Rti Plan. In addition to this plan, Aspire provides a variety of supports to our
schools and school staff in implementing school-wide behavior interventions and discipline policies, improving student attendance and implementing alternatives to suspension.

In direct response to our need to focus on our non-academic indicators of success, Aspire has recently hired a Regional Student Support Coordinator (RSCS) specifically assigned to our LA schools. The RSCS’s role encompasses both school-specific and region-wide and includes, but is not limited to:

- Provides professional development and individualized coaching to Deans of Students around areas related to student behavior and discipline, including, but not limited to:
  - Creation and Use of behavior and discipline data, attendance data and other indicators to inform decision-making at various tiers of intervention
  - Consult on student specific cases, including discussions of alternatives to suspension, interventions, etc.
  - Hold region-wide professional development to support cross-school collaboration and discussion, increase understanding of recent research in student support, etc.

- Provides professional development and individualized coaching to mental health counselors around areas related to student behavior and mental health, including, but not limited to:
  - Creation and Use of behavior and discipline data, attendance data and other indicators to inform decision-making at various tiers of intervention
  - Clinical supervision for counselors working towards licensure
  - Coordination of crisis response protocols and regional response teams

- Provides monthly consultation time with principals to discuss discipline data, attendance data and other non-academic student support needs.

- Creates and Updates Region Specific resource pages that include, but is not limited to, the following types of information:
  - Professional Development topic pages. For example, resource pages dedicated to Restorative Practices in Schools
  - Links to LAUSD support resources around discipline and behavior interventions
  - Family resource referrals for outside agencies and supports

Additionally, the LA RSCS works as part of a larger team within Aspire to increase the knowledge-base and collaboration among different staff stakeholders such as principals, deans, counselors, office managers and teachers in order to increase effectiveness and student achievement. The focus of this work is on non-academic indicators and interventions and includes routinely analyzing non-academic data such as behavior incidents, suspension data, attendance data and other indicators. This team includes student support coordinators in other regions, regional special education staff, members of the student services team at Aspire and others.

**The Charter School’s B-RTI Plan**

**Mission:** To develop our capacity to create, support, and sustain school climates that is safe, orderly, predictable, and positive, so as to maximize opportunities for academic and social success for all.
Components of RTI Behavior
1) Multi-tiered (3 tiered approach)
2) Problem solving approach
3) Evidence based instruction/intervention
4) Increased levels of intensity
5) Decisions based on data
6) Ongoing progress monitoring

Objectives of the Program:
1. To prevent behavioral difficulties with early identification of need followed by immediate intervention
2. Provide positive recognition and intervention in a systematic way
3. Develop the social and academic skills of all students
4. Identify critical components for behavioral support at each tier (necessary procedures and resources)
5. Increase student achievement in all areas by using a behavioral data driven system that identifies students that may be at risk and proactively intervene
6. Establish a routine of clear communication between behavior RTI team and general education teachers through weekly team meetings (consultancy protocol) and monthly data reflection meetings with B RTI team
7. Inform and involve families through monthly behavior progress reports

Critical Features
1. Positive expectations & routines identified, taught, and encouraged
2. Active supervision by all staff
3. Pre-corrections and reminders
4. Positive reinforcement
5. Ratio of 5 positive interactions to 1 negative interaction in adult-student engagement
7. Provide corrective consequences for behavior errors
8. Monitor and reward appropriate behavior.
9. Use data (office discipline referrals) to assess impact of B RTI

2013-2014 Goal: 80% of all students at Tier I

Long-term Goals
- Refine B-Rti Process
- Improve upon existing documentation methods
- Provide push-in intervention
- Expand B-Rti team to other stakeholders
- Increase family involvement

Data Collection/Evidence
TEACHER:
- Monthly Behavior Averages
- Anecdotal notes for students who score 3 stars and below

INTERVENTION:
- School wide B Rti report
- Progress Monitoring / Data Reflection (monthly)
- Communication log/ documentation of all students being referred to the office
**RtI Responsibilities:**
1. Accurately target behavior intervention students and determine their level of needed support.
2. Collaborate with general education teachers on a monthly basis about B-RtI data, providing information and suggestions for other interventions in the classroom.
3. Evaluate the progress of target students on a monthly basis, and reevaluate their level of needed support/intervention.

**Persons Responsible:**
- **Principal** - the driver of the B RtI program:
  - Analyze B-RtI data tracking on a monthly basis
  - Set up monthly data meetings
  - Communicate with teachers through the B RtI data tracking on any office referrals
- **Counselor**:
  - Provide individual or group counseling
  - Consult with parents, teachers and other educators
  - Referrals to other school support services or community resources
- **Campus Monitor & P.E. Coach**
  - Provide additional support during recess and lunch supervision
  - Implement intervention strategies outside of the classroom
  - Collaborate with Gen. Ed. teachers
- **School Psychologist consult**
- **Program Specialist consult**

**General Educator Responsibilities:**
1. Introduce, model, and maintain school wide expectations
2. Accurately log in daily behavior tracking of all students onto B RtI log
3. Meet with B RtI team monthly to reflect on B RtI data
4. Use strategies created in B RtI data meeting to address the needs of intervention students in general education
5. Provide the intervention team with any communication about targeted students

**Family Communication:**
- Send out a list of students who are perfect 5 star at the end of each month (Principal)
- Record and communicate daily behavior (Gen Ed. Teacher)

**Needs-Based Interventions:**

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<th>Behavior RtI Tiers Overview</th>
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Behavior Rti Tiers Overview

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**Suspension**

Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. Students who come to school during the term of their suspension or expulsion may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means of correction have not been successful or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.

**Authority to Suspend**

1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The CEO or designee may extend a student’s suspension pending final decision by the Aspire Administrative Panel on a recommendation for expulsion.
4. A student with an IEP being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Aspire Administrative Panel on a recommendation for expulsion.

**Jurisdiction**

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to an Aspire school activity, 2) school attendance occurring at an Aspire school or at any other school, or 3) at an Aspire school’s sponsored event.

**Suspension Alternatives**

The Aspire CEO, CEO Designee, or Principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and anger management programs for students subject to suspension or expulsion. An additional alternative may be community service on school grounds or, with written
permission of the parent or guardian, off school grounds during the student’s non-
school hours. [Education Code 48900.6]

**Grounds for Suspension and Expulsion**

The following information is provided in order to provide uniformity within Aspire in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion:

a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

or (2) Willfully used force or violence upon the person of another, except in self-defense.

b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property.

g) Stole or attempted to steal school property or private property.

h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

l) Knowingly received stolen school property or private property.
m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
   
   A. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
   
   B. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
   
   C. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
   
   D. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

2. (A) "Electronic act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
A. A message, text, sound, or image.

B. A post on a social network Internet Web site including, but not limited to:

   i. Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

   ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1).

   (1) "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

   (2) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

2. B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

3. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

1) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily harm.

In addition to the grounds specified above, an Aspire student enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the CEO or the principal of the Charter School in which the student is enrolled determines that the student has:

- Committed sexual harassment as defined in the Education Code section 212.5.
- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Section 233 of the Education Code.
• Intentionally engaged in harassment, threats, or intimidation, directed against any Aspire personnel or students, that are sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment.

• Made terroristic threats against school officials or school property. Possessed or used any electronic signaling device that operates through the transmission or reception of radio waves, including, but not limited to, paging and signaling equipment, cell phones, pagers, game devices, lasers, laser-pointers, and music playing devices while students are on campus or attending a school-sponsored activity, or while under the supervision and control of any Aspire employee.

**Procedures in Cases Requiring Suspension**

1. **Incident Investigation** - The school site administrator or teacher investigates the incident and determines whether or not it merits suspension.

2. **Determination of Length of Suspension** - The school site administrator determines the appropriate length of the suspension in conjunction with local school policy and school-specific disciplinary management plans (up to five consecutive school days).

   The total number of days for which a student may be suspended from school shall not exceed 20 school days in any school year. A student who accumulates more than 20 days of suspension in a school year shall be recommended for expulsion to the Aspire Board of Directors.

3. **Legal Notifications** - Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. Upon reporting such an incident, the principal or designee with secure a written copy of the police report and a copy of that report shall be placed in the private student files.

   The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts that may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

   Within one school day after a student’s suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind.

   When the Principal or other school official releases a student to a peace officer for the purpose of removing the student from the school premises (after the release), the Principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the student regarding the release of the minor to the officer, and regarding the place to where the minor is reportedly being...
taken. **Note:** The responsibility to notify the parent, guardian, or other responsible relative concerning the release of a student does not apply to the release of a student who has been taken into custody as a victim of suspected child abuse.

4. **Suspension Conference**—Suspension shall be preceded, if possible, by a conference conducted by the Principal or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal.

5. **Notice of Suspension**—The Principal or designee must complete an Aspire Notice of Suspension form. The parent will be given written notice of the suspension using this form. The Aspire Notice of Suspension serves as written notification of the student's suspension and indicates the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school.

A copy of this form is also sent to the Aspire home office (Attention: Director of Student Services) and placed in the principal’s private student files—suspension notices should not be placed in the student’s cumulative file.

**Appeals Process**

A student or the student’s parents guardians may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her school related offenses. Appeals are brought directly to the Aspire Executive Committee.

- Appeals must be made first in writing at the school level, and should be directed to the principal. The principal or principal's designee will attempt to resolve the appeal with a written response within ten (10) school days.

- After appeal at the school level, if further appeal is desired, the appeal should be made to the Aspire Home Office and should be directed to the CEO or designee (Regional Student Support Coordinator) for resolution with a written response within fifteen (15) school days.

- After appeal at the Aspire administrative level, if further review is desired, the appeal may be forwarded to the Aspire Executive Committee for resolution with a written response within 20 school days.

If any appeal is denied, the parent may place a written rebuttal to the action in the student’s file.

**Expulsion**

Expulsion is the involuntary removal of a student from all Aspire schools and Aspire programs for acts of specified misconduct.

Except for single acts of a grave nature, expulsion should only be used when:

- there is a history of misconduct,
- other forms of discipline (including suspension) have failed to bring about proper conduct,

Aspire Antonio Maria Lugo Academy Charter Renewal 2014-2019
- a student has accumulated 20 or more days of suspension in a school year
- or when the student’s presence causes a continuing danger to other students.

**Authority to Expel**

A student may be expelled by the Aspire Administrative Panel. The Administrative Panel will consist of at least three members who are certificated and neither a teacher or principal of the pupil nor a member of the Aspire Board of Directors. The Aspire Administrative Panel may recommend expulsion of any student found to have committed a suspendable or expellable offense (APS 5144.1).

While under expulsion, a student cannot enroll in another Aspire school without approval of the Aspire Board of Directors. At the conclusion of an expelled student’s term of expulsion, a student cannot enroll in any Aspire school without approval of the Aspire Board of Directors through the readmission process. Approximately one month prior to the conclusion of the term of expulsion, the Aspire Registrar contacts the family to remind the student and family that they may return to Aspire if they have met the terms of their expulsion. Families have two weeks to submit documentation that they have met the terms of expulsion. If this information is not received within two weeks, the family is called by the Aspire Registrar. All communication is documented and sent via certified mail.

If a student has met all terms, the student is re-admitted and a re-entry conference with the principal of their school is scheduled to promote a smooth transition. At the secondary level, students are re-entered on a semesterly basis.

The Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School’s student expulsion process and shall facilitate the post-expulsion placement of expelled students.

**Expellable Offenses**

- **Mandatory Expulsion**
  
The Principal or CEO (or the CEO’s designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school’s jurisdiction. The Aspire Administrative Panel will also expel the student.

  **Mandatory Expulsion does not require a second finding of fact.**
  
  - Possessing, selling, or otherwise furnishing a firearm, unless pupil had obtained prior written permission to possess the firearm from a certificated school employee
  - Brandishing a knife at another person
  - Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
- Committing or attempting to commit a sexual assault or committing a sexual battery
- Possessing an explosive

**Mandatory Recommendation for Expulsion**
The Principal or CEO (or the CEO's designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school's jurisdiction. The Aspire Administrative Panel may order the student expelled.

**Mandatory Recommendation for Expulsion requires a second finding of fact.**
- Causing serious physical injury to another person, except in self-defense
- Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis
- Robbery or extortion
- Assault or battery upon any school employee as defined in (Penal Code 240 and 242)

**Permissive Expulsion- requires a second finding of fact**
Upon recommendation of the Principal or CEO (or the CEO's designee), the Aspire Administrative Panel may order a student expelled upon finding that the pupil, at school or at a school sponsored activity on or off school grounds, violated any of the suspendable acts listed under suspension.
Element 11: Employee Retirement Systems

The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

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

All employees of Aspire who qualify for membership in STRS or PERS shall be covered under the appropriate system. Employees will contribute at the rate established by STRS or PERS. The Payroll/Benefits Manager of Aspire will ensure that appropriate arrangements for the coverage have been made. Aspire will make all employer contributions as required. Aspire will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.
Element 12: Public School Attendance Alternatives

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.
- California Education Code Section 47605(b)(5)(L)

Aspire schools are "schools of choice," and the Charter School recognizes that pupil attendance is voluntary and no pupil shall be required to attend an Aspire school. Pupils who choose not to attend the Charter School may choose to attend other public schools in their district of residence or pursue an interdistrict-transfer in accordance with existing enrollment and transfer policies of the District.

The parent or guardian of each student enrolled in the Charter School will be notified that their student shall have no right to admission in a particular school of any local educational agency (or program of any local educational agency) as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local educational agency.
Element 13: Rights of District Employees

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

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

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.
Element 14: Mandatory Dispute Resolution

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

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

Aspire is committed to working with the District in a spirit of cooperation.

The staff and governing board members of Aspire Antonio Maria Lugo Academy agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and Aspire Antonio Maria Lugo Academy, except any controversy or claim that is in any way related to revocation of this Charter, ("Dispute") pursuant to the terms of this Element 14.

Any Dispute between the District and Aspire shall be resolved in accordance with the procedures set forth below:

1) Any Dispute shall be made in writing ("Written Notification"). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All Written Notifications shall be addressed as follows:

To Charter School: c/o the Principal:
Aspire – Antonio Maria Lugo Academy
2565 East 58th Street
Huntington Park, CA 90255

To Director of Charter Schools: Director of Charter Schools
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

2) (2) A written response ("Written Response") shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice ("Issue Conference"). The Issue Conference shall take place within
fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys' fees, costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party's request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.

4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.
Element 15: Exclusive Public School Employer

A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code).

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

The Charter School is deemed the exclusive public school employer of all employees of the charter school for collective bargaining purposes. As such, the Charter School shall comply with all provisions of the Educational Employment Relations Act ("EERA"), if any, and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may, but are not required to, join and be represented by an organization of their choice for collective bargaining purposes.
Element 16: Charter School Closure Procedures

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

- California Education Code Section 47604(b) (5) (P)

In the event that the Charter School closes and does not continue operating under this charter or a different charter, the following procedures, which are adapted from the procedures recommended by the California Department of Education ("CDE"), shall be utilized to ensure a final audit of the Charter School to determine the disposition of all assets and liabilities of the Charter School, including plans for disposing any net assets and for the maintenance and transfer of pupil records.

REVOCATION OF THE CHARTER

The District may revoke the Charter if the Charter School commits a breach of any provision set forth in a policy related to Charter Schools adopted by the District Board of Education and/or any provisions set forth in the Charter School Act of 1992. The District may revoke the charter of the Charter School if the District finds, through a showing of substantial evidence, that the Charter School did any of the following:

- The Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- The Charter School failed to meet or pursue any of the pupil outcomes identified in the charter.
- The Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- The Charter School violated any provision of law.

Prior to revocation, and in accordance with Cal. Educ. Code section 47607(d) and State regulations, the LAUSD Board of Education will notify the Charter School in writing of the specific violation, and give the Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution clause set forth in this Charter.

Pursuant to AB 97, charter schools may be identified for assistance based on state evaluation rubrics and be subject to revocation pursuant to Education Code section 47607.3.
CLOSURE ACTION

The decision to close the Charter School either by the Aspire governing Board or by the LAUSD Board of Education will be documented in a “Closure Action”. The Closure Action shall be deemed to have been automatically made when any of the following occur: (1) Non-renewal; (2) the charter is revoked by the LAUSD Board of Education under the authority granted in Ed. Code, §§ 47607, subd. (c)(1)(C) or 47607, subd. (c)(1)(D); (3) the charter is revoked by the LAUSD Board of Education under the authority granted in Ed. Code, §§ 47607, subd. (c)(1)(A) or 47607, subd. (c)(1)(B) and the Charter School fails to win an appeal of that decision; (See Ed. Code, § 47607, subd. (i); (4) the Charter School board votes to close the Charter School; or (5) the Charter lapses.

Any revocation actions must be conducted pursuant to California Education Code.

DOCUMENTATION OF CLOSURE ACTION

The revocation or non-renewal of a charter school must be documented by an official action of the authorizing entity.

CLOSURE PROCEDURES

The procedures for charter school closure are guided by California Education Code sections 47604.32, 47605, 47605.6, and 47607 as well as California Code of Regulations, Title 5 (5 CCR), sections 11962 and 11962.1. The procedures outlined below are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” as posted on the California Department of Education website. References to “Charter School” applies to the charter school’s nonprofit corporation and/or governing board.

DESIGNATION OF RESPONSIBLE PERSON(S) AND FUNDING OF CLOSURE

Upon the taking of a Closure Action by either the governing board of the Charter School or the LAUSD Board of Education, the governing board of Aspire shall immediately designate a person or persons responsible for conducting all closure procedures and activities, and determine how the Charter School will fund these activities.

NOTIFICATION OF CLOSURE ACTION

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The CSD, if the Closing Action is an act of the Charter School. Note: If the Closure Action is a revocation or nonrenewal by the LAUSD Board of Education, the charter school may omit this step.
2. Parents, guardians, and/or caretakers of all students currently enrolled in the Charter School within 72 hours of the Closure Action. The Charter School shall simultaneously provide a copy of the written parent notification to the CSD.

3. Los Angeles County Office of Education (LACOE). The Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

4. The Special Education Local Plan Area (SELPA) in which the Charter School participates. The Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

5. The retirement systems in which the Charter School’s employees participate. Within fourteen (14) calendar days of the Closure Action, the Charter School shall notify the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of this notification and correspondence to the CSD.

6. The California Department of Education (CDE). The Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.

7. Any school district that may be responsible for providing education services to the former students of Charter School. The Charter School shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.

8. All school employees within 72 hours and vendors within five business days of the Closure Action. The Charter School shall simultaneously provide a copy of the written employee and vendor notification to the CSD.

1. Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information: The effective date of the closure.
2. The name(s) of and contact information for the person(s) handling inquiries regarding the closure
3. The students’ school districts of residence
4. How parents or guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification to the CDE must also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification to parents, guardians, and students should also include:

1. Information on how to transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of their child’s cumulative record which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and State testing results.
3. Information on student completion of college entrance requirements for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the school closure
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The date and manner, which shall be no later than 30 days from the effective date of school closure, by which Charter School shall provide employees with written verification of employment.

Within 30 days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of such letters to the CSD.

**STUDENT AND SCHOOL RECORDS RETENTION AND TRANSFER**

The Charter School shall observe the following in the transfer and maintenance of school and student records:

1. The Charter School will provide the District with original cumulative files and behavior records pursuant to District policy and applicable handbook(s) regarding cumulative records for secondary and elementary schools for all
students both active and inactive at the Charter School. Transfer of the complete and organized original student records to the District will occur within seven (7) calendar days of the effective date of closure.

2. The process for transferring student records to the receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another.

3. The Charter School will prepare an electronic master list of all students to the Charter Schools Division. This list will include the student’s identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list should also indicate the name of the Charter School that each student is transferring to, if known. This electronic master list will be delivered in the form of a CD.

4. The original cumulative files should be organized for delivery to the District in two categories: active students and inactive students. The CSD will coordinate with the Charter School for the delivery and/or pickup of the student records.

5. The Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.

6. The Charter School will provide to the CSD a copy of student attendance records, teacher gradebooks, school payroll records, and Title I records (if applicable). Submission of personnel records must include any employee records the charter school has. These include, but are not limited to, records related to performance and grievance.

7. All records are to be boxed and labeled by classification of documents and the required duration of storage.

**FINANCIAL CLOSE-OUT**

After receiving notification of closure, the CDE will notify the charter school and the authorizing entity if it is aware of any liabilities the charter school owes the state. These may include overpayment of apportionments, unpaid revolving fund loans or grants, or other liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the Charter School received state funding for which it was not eligible.

The Charter school shall ensure completion of an independent final audit within six months after the closure of the Charter School that includes:
1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.

2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.

3. An assessment of the disposition of any restricted funds received by or due to the charter school.

This audit may serve as the Charter School’s annual audit.

The financial closeout audit of the Charter School will be paid for by the Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by the Charter School will be the responsibility of the Charter School and not LAUSD. The Charter School understands and acknowledges that the Charter School will cover the outstanding debts or liabilities of the Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. The Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which the Charter School participates, and other categorical funds will be returned to the source of funds.

The Charter school shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If the charter school chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance or enrollment data of the closed charter school with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.
DISPOSITION OF LIABILITIES AND ASSETS

The closeout audit must identify the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure appropriate disposal, in accordance with Charter School's bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

The closeout audit must determine the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. The return of any donated materials and property according to any conditions set when the donations were accepted.

2. The return of any grant and restricted categorical funds to their source according to the terms of the grant or state and federal law.

3. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If the Charter School is operated by a nonprofit corporation, and if the corporation does not have any other functions than operation of the Charter School, the corporation will be dissolved according to its bylaws.

   a. The corporation’s bylaws will address how assets are to be distributed at the closure of the corporation.

   b. A copy of the corporations bylaws containing the information on how assets are to be distributed at the closure of the corporation, are to be provided to LAUSD prior to approval of this Charter.

The Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

The Aspire Board shall adopt a plan for wind-up of the Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

The Charter School shall provide LAUSD within fourteen (14) calendar days of closure action prior written notice of any outstanding payments to staff and the method by which the Charter School will make the payments.
Prior to final closure, the Charter School shall do all of the following on behalf of the Charter School's employees, and anything else required by applicable law:

a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.

b. File the Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).

c. Make final federal tax payments (employee taxes, etc.)

d. File the final withholding tax return (Treasury Form 105).

e. File the final return with the IRS (Form 990 and Schedule).

This Element 16 shall survive the revocation, expiration, termination, cancellation of this charter or any other act or event that would end the Charter School's right to operate as a Charter School or cause the Charter School to cease operation. The Charter School and District agree that, due to the nature of the property and activities that are the subject of this petition, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 16. The District, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.
Charter-Related Issues

**Term of Charter Petition**

A charter may be granted pursuant to Sections 47605... for a period not to exceed five years. A charter granted by a school district governing board...may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

- *California Education Code Section 47607(a)(1)*

The Charter School’s renewed charter shall begin on July 1, 2014 and will expire on June 30, 2019. Any amendments to School’s charter may be made by the mutual agreement of the governing board of Aspire and the District.

Aspire may present a petition to materially amend the Charter at any time, and the District agrees to respond to such petitions pursuant to the process, criteria and timelines specified in the Charter Schools Act. Upon making the determination whether the proposed change is a material revision, the District will promptly inform the Charter School of the decision, generally within three (3) business days.

If the proposed change is determined to be a material revision of the charter, the Charter School must seek approval of its proposal through the material revision application process outlined below. If, however, the District determines that the proposed amendment does not constitute a “material revision” of the charter, the school may then send its requested change(s) in writing (by regular or electronic mail) to the District administrator assigned to the school. The District will review the written request and communicate its change to the charter school, generally within 15 business days of receipt. As part of its review of a request for non-material amendment of the charter, the District may request additional information and/or documentation as necessary.

Once the charter school has submitted a complete material revision application, District staff, in coordination with LAUSD’s legal counsel and other appropriate District staff, will review the submitted application materials, together with the charter school’s record of academic, operational, and organizational management performance, in order to determine its recommendation. Under certain circumstances, the District may determine that it is necessary to conduct a capacity interview as part of its effort to ascertain whether the school has the capacity to successfully implement the proposed changes. In that event, the District will notify the school promptly so that the interview can be scheduled as soon as practicable. The Charter School team should plan to make itself available for the capacity interview within five (5) days of receiving notification from the District.
Upon review, if the District determines that it will recommend approval of the requested material revision(s), District staff will draft the material revision agreement document and send it to the charter school for execution (signature). In addition to the proposed material revision(s), the document will include those revisions necessary to conform the charter to the current District Required Language and any changes in the law since the current charter was granted. The District will proceed to schedule and prepare for Board action on the District recommendation of approval of the material revision request. The material revision agreement document must be signed by the Charter School prior to Board action.

If, however, the District determines that it will recommend denial of the requested material revision(s), it will notify the school promptly. At that time, the school may choose to withdraw the request or indicate its intent to proceed to Board action notwithstanding the District recommendation. If the Charter School determines not to withdraw the request, District will proceed with scheduling and preparing for Board action on the District recommendation of denial of the request for material revision.

Based on the recommendation of the District and the guidelines delineated in Education Code §47605, the Board of Education will make a final decision to approve or deny the request for material revision of the charter. The Board of Education may approve a request for material revision with or without conditions and/or benchmarks. The Board of Education may deny a request for material revision if it finds that:

1. the Charter School will provide an unsound educational program for students during the term of its charter, as amended;
2. the Charter School is demonstrably unlikely to successfully implement the program set forth in the charter, as amended;
3. the charter, as amended, does not provide reasonably comprehensive descriptions of the 16 required elements set forth in the Charter Schools Act.

Should the Charter School's request for material revision of its charter be denied, the school will continue to operate under the terms of its current approved charter. Material revisions shall take effect immediately upon District Board approval, unless a different effective date expressly applies, such as the beginning of the next school year.
District Impact Statement

The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation.

- California Education Code Section 47605(g)

Insurance Requirements

No coverage shall be provided to the Charter School by the District under any of the District's self-insured programs or commercial insurance policies. The Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] to protect the Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be the Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of $5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles ("Board of Education") as named additional insured and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above $15,000 without the prior written approval of the Office of Risk Management for the LAUSD.

2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of $1,000,000/$1,000,000/$1,000,000.
3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of $1,000,000 Combined Single Limit per Occurrence if the Charter School does not operate a student bus service. If the Charter School provides student bus services, the required coverage limit is $5,000,000 Combined Single Limit per Occurrence.

4. Crime Insurance or Fidelity Bond coverage shall be maintained by the Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be $50,000 per occurrence, with no self-insured retention.

5. Professional Educators Errors and Omissions liability coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

6. Sexual Molestation and Abuse coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.

7. Employment Practices Legal Liability coverage with limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

8. Excess/umbrella insurance with limits of not less than $10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy.

Evidence of Insurance

The Charter School shall furnish to the District's Division of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28th Floor, Los Angeles CA 90017 within 30 days of all new policies inceptions, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:
"The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District."

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.

Should the Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the District and its purchase shall be the responsibility of the Charter School.

Facilities

The city of Huntington Park has allowed the Charter School to operate at its current location at 2505 East 58th Street in Huntington Park, California, for three years while it seeks another facility that can accommodate its educational program. The city of Huntington Park will allow the Charter School to operate at its current location for an additional year beyond the three years if Aspire is actively in construction of a new facility for the Charter School.

Note: The City of HP had originally issued a Conditional Use Permit (CUP) for this location spanning grades 6-12 as it is the site of Aspire Pacific Academy. The City approved us to operate grades K-5 in the same facility temporarily, as referenced above.

District-Owned Facilities: If Charter School is using LAUSD facilities as of the date of the submittal of this charter petition or takes occupancy of LAUSD facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by LAUSD for the use of the LAUSD facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any LAUSD facilities, Charter School shall execute an agreement provided by LAUSD for the use of LAUSD facilities prior to occupancy and commencing use.

Charter School agrees that occupancy and use of LAUSD facilities shall be in compliance with applicable laws and LAUSD policies for the operation and maintenance of LAUSD facilities and furnishings and equipment. All LAUSD facilities (i.e., schools) will remain subject to those laws applicable to public schools which LAUSD observes.

In the event of an emergency, all LAUSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of LAUSD facilities with other LAUSD user groups, Charter School agrees it will participate in and observe all LAUSD safety policies (e.g., emergency chain of information, participate in safety drills).
The use agreements provided by LAUSD for LAUSD facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- **Use.** Charter School will be restricted to using the LAUSD facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the charter petition and incidental related uses. LAUSD shall have the right to inspect LAUSD facilities upon reasonable notice to Charter School.

- **Furnishings and Equipment.** LAUSD shall retain ownership of any furnishings and equipment, including technology, ("F&E") that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.

- **Leasing; Licensing.** Use of the LAUSD facilities by any person or entity other than Charter School shall be administered by LAUSD. The parties may agree to an alternative arrangement in the use agreement.

- **Minimum Payments or Charges to be Paid to LAUSD Arising From the Facilities.**
  
  (i) **Pro Rata Share.** LAUSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and

  (ii) **Taxes; Assessments.** Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School's legal or equitable interest created by the use agreement.

- **Maintenance & Operations Services.** In the event LAUSD agrees to allow Charter School to perform any of the operation and maintenance services, LAUSD shall have the right to inspect the LAUSD facilities and the costs incurred in such inspection shall be paid by Charter School.
  
  (i) **Co-Location.** If Charter School is co-locating or sharing the LAUSD facilities with another user, LAUSD shall provide the operations and maintenance services for the LAUSD facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

  (ii) **Sole Occupant.** If Charter School is a sole occupant of LAUSD facilities, LAUSD shall allow the Charter School, at its sole cost and expense, to provide some operations and maintenance services for the LAUSD facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, LAUSD shall provide all services for regulatory inspections, which as the owner of the real property...
is required to submit, and deferred maintenance and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

- Real Property Insurance. Prior to occupancy, Charter School shall satisfy those requirements to participate in LAUSD’s property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall not have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

**NON-DISTRICT-OWNED FACILITIES**

**Facility status:** The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School shall implement any corrective actions, orders to comply, or notices issued by the authorized building and safety agency. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements. Charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

**Occupancy of the Site:** The charter petitioner or developer shall provide the District with a final Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The Charter School may not open without providing a copy of the Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met for the designated use of the facility. If the Charter School moves or expands to another facility during the term of this charter, the Charter School shall provide a Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met to the District for each facility before the Charter School is scheduled to open or operate in the facility or facilities. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.
**Pest Management:** The Charter School will comply with the Healthy Schools Act, California Education Code Section 17608, which details pest management requirements for schools. Developers may find additional information at: www.laschools.org/employee/mo/ipm

**Asbestos Management:** The charter school will comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

**Administrative Services**

Aspire has an experienced administrative staff that handles a variety of "back office" services like payroll, accounting, and purchasing. Aspire will be responsible for all of its own personnel salary and benefit plans, provisions and costs. In the event that any administrative services are to be provided by the District, the specifics will be agreed to in a Memorandum of Understanding between Aspire and the District.

**Hold Harmless/Indemnification Provision**

To the fullest extent permitted by law, the Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever, arising out of, or relating to this Charter agreement. The Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by the Charter School, and their officers, directors, employees or volunteers. Moreover, the Charter School agrees to indemnify and hold harmless the District for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.

**Potential Civil Liability Effects**

The Charter School shall be operated by Aspire Public Schools, a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).
Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the Charter School if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including meetings, reporting, or other authorizer-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

The corporate bylaws of Aspire shall provide for indemnification of the Aspire's Board, officers, agents, and employees, and Aspire will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks. Insurance coverage may be made by joint powers authority authorized to conduct business in the State of California and limits will set at commercially reasonable levels. A copy of Aspire's Evidence of Insurance is attached in Appendix K. The District shall be named as an additional insured and Aspire will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

**District Oversight Costs**

The District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 1% of the Charter School’s revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if the Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time. The supervisory oversight fee provided herein is separate and distinct from the charges arising under the charter school/facilities use agreements.

**Cash Reserves**

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, Title 5 of the California Code of Regulations.

**Special Education Revenue Adjustment/Payment for Services**

In the event that the Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State’s adjustment to allocation of special education revenues from the Charter School, the Charter School authorizes the District to deduct any and all of the in lieu property taxes that the Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. The Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to the Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, the Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.
AUDIT AND INSPECTION OF RECORDS
Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:
- Charter School is subject to District oversight.
- The District’s statutory oversight responsibility continues throughout the life of the Charter and requires that it, among other things, monitors the fiscal condition of the Charter School.
- The District is authorized to revoke this Charter for, among other reasons, the failure of the Charter School to meet generally accepted accounting principles or if it engages in fiscal mismanagement.

Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the District Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:
- Compliance with terms and conditions prescribed in the Charter agreement,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of the Charter School’s financial information,
- The Charter School’s debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- The Charter School’s enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

The Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hours notice.

INTERNAL FISCAL CONTROLS
The Charter School will develop and maintain internal fiscal control policies governing all financial activities.

APPORTIONMENT ELIGIBILITY FOR STUDENTS OVER 19 YEARS OF AGE
Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. EC 47612(b)
Financial Statements

Attached, in TAB 6e, please find the following documents for the Charter School:

- Budget assumptions
- 3-year budget and cash flow
- 3-year budgeted Profit & Loss Statement

Aspire has been receiving funding pursuant to provisions of the California Education Code as it has opted to be direct-funded. Any funds due to the Charter School that flow through the District shall be forwarded to Aspire in a timely fashion.

Local Control and Accountability Plan

In accordance with California Education Code §§ 47604.33 and 47606.5, Charter School shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)” of EC § 47606.5(a). These expenditures shall be “classified using the California School Accounting Manual pursuant to Section 41010.” EC § 47606.5(b)
APPENDIX

A. Personalized Learning Plan
B. Aspire Plan to Transition to Common Core State Standards
C. Mapping of Previous ELD Standards to Instructional Guidelines
D. Aspire 504 Procedures
E. Proof of LEA SELPA Membership
F. Proof of Tax-exempt Status
G. Organizational Chart
H. Discrimination and Harassment Policy
I. Educator Evaluation Tools
J. Health and Safety Plan
K. Evidence of Insurance Coverage
L. Instructional Guidelines (Pacing Guides)
SECTION III.2
All supporting documents to the petition submitted to the district

Supporting Documents submitted to the District

1) Letter of Intent
2) Charter Briefing
3) Initial Screening Checklist
4) Bylaws
5) Articles of Incorporation
6) Conflict of Interest Policy
7) Lottery and Registration Forms
8) Resumes of Lead Petitioners
9) Board Questionnaires and Resumes
10) Aspire Public Schools Board Resolution
11) City of Huntington Park Inspection Card

Renewal Petition Appendix

A. Personalized Learning Plan
B. Aspire Plan to Transition to Common Core State Standards
C. Mapping of Previous ELD Standards to Instructional Guidelines
D. Aspire 504 Procedures
E. Proof of LEA SELPA Membership
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I. Educator Evaluation Tools
J. Health and Safety Plan
K. Evidence of Insurance Coverage
L. Instructional Guidelines (Pacing Guides)
SUPPORTING DOCUMENT 1

Letter of Intent
LOS ANGELES UNIFIED SCHOOL DISTRICT
Charter Schools Office
Letter of Intent to Apply for a Charter School

Name of proposed charter school: Aspire - Antonio Maria Lugo Academy

General location of proposed charter: 2565 E. 58th Street, Huntington Park, CA 90255

Projected Grade Levels – Year 1: K - 5
Projected Grade Levels – Year 5: K - 5

Projected Enrollment – Year 1: 184
Projected Enrollment – Year 5: 360

Lead Petitioner Information:

Name: Elise Darwish
Address: 2565 E. 58th Street, Huntington Park, CA 90255
Phone number(s): 323-585-1153
Fax: 323-585-1283
E-mail address: elise.darwish@aspirepublicschools.org

Other members of the Charter Development team:

Michelle Florendo
Margaret de Moreno

Verification:

☐ I/we certify that we are interested in applying for a charter within LAUSD boundaries.

☐ I/we have participated in the Orientation Meeting given by the LAUSD Charter Schools Division

☐ I/we did not participate in the Orientation Meeting given by the LAUSD Charter Schools Division

Elise Darwish
PRINT NAME

SIGNATURE

October 28th, 2013
DATE

Received by:

PRINT NAME

SIGNATURE

DATE
CHARTER BRIEFING PAGE
ASPIRE - ANTONIO MARIA LUGO ACADEMY

- Name of Organization Applying for Charter:
  Aspire Public Schools

- Projected Grades Served - Year 1... K-5  Grades Served - Year 5... K-5

- Projected Enrollment Year 1... 184  Number of Students - Year 5... 360

- Location Address or Target Neighborhood
  2565 E. 58th Street, Huntington Park, CA 90255

- Facility Status/Location
  The facility belongs to Aspire Public Schools

- Prop. 39 – Application Submitted?
  YES

- Does the location meet Board Policy? (Low API, Overcrowded)
  Yes, the surrounding neighborhood schools are overcrowded.

- Board of Directors/Executive Committee
  Beth Hunkapiller  President, San Carlos School District Board
  Bill Hughson  Independent Consultant
  Steven Merrill  Partner, Benchmark Capital
  Richard Spalding  Thomas Weisel Healthcare Venture Partners
  Louise Muhlfeld  Human Resources Consultant
  Jonathan Garfinkel  TPG Equity
  Greg Jones  Retired

- Description of Mission
  Open and operate small, high-quality charter schools in low-income neighborhoods, in order to:
  - Increase the academic performance of underserved students.
  - Develop effective educators.
  - Share successful practices with other forward-thinking educators, and
  - Catalyze change in public schools.
Description of Vision

Every student is prepared to earn a college degree

Source/Core of Money

State funding, Federal funding

3 – 5 Top Leaders

Sandra Kim, Principal
Elise Darwish, Acting Area Superintendent of Aspire Public Schools
James Willcox, CEO of Aspire Public Schools

Has your charter applied to any other jurisdiction for approval?

No.

Are there any sister charters?

Yes. Aspire Public Schools currently holds 11 other charters with LAUSD: Aspire-Centenni
Cal Preparation Academy, Aspire-Firestone Academy, Aspire-Gateway Academy, Aspire-Hunting
Academy, Aspire-Junior College Academy, Aspire-OLLIN University Prep.
Academy, Aspire-Pacific Academy, Aspire-Slauson Academy, Aspire-Tate
Academy, Aspire-Titan Academy

What innovative elements of your charter could be considered “best practices” and replications by other schools?

Cycle of Inquiry: The School will use standards-based assessments every two to three weeks. The results from these assessments are discussed at grade level meetings with established protocols. Instructional strategies for reteaching standards are generated at these meetings, as well as ideas for interventions for students.

College for Certain culture: The School will have a college-going culture through artifacts, rituals and high academic expectations. For instance, all classrooms are named after universities with the year the class will graduate from college above the door. The students will do their college cheers at every school gathering. Students receiving special recognition for outstanding service or academics will be allowed to wear college t-shirts instead of the uniform. Aspirations for college will be set early in the student’s school careers.

October 18th, 2013
SUPPORTING DOCUMENT 3

Initial Screening Checklist
<table>
<thead>
<tr>
<th>PAGE</th>
<th>ITEM</th>
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<td>1</td>
<td>1. Approval Documentation</td>
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<td></td>
<td>• Supporting signatures of:</td>
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<td>• conversion charter: 50% of permanent status teachers at the school site</td>
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<td>• start-up charter: 50% of parents who intend to enroll children or</td>
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<td>• 50% of teachers who intend to be employed at the school during first year of operation</td>
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<td>• petition includes prominent statement of meaningful interest to start a charter (board resolution)</td>
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<td>• resume and questionnaire for all board members</td>
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<td>TAB 9</td>
<td>2. Assurances that school will:</td>
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<td>• be non-sectarian in programs, admission policies, employment practices and other operations</td>
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<td>• not charge tuition</td>
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<td>• not discriminate against any student on the basis of ethnicity, national origin, gender or physical or mental disability (religion, race, color, medical condition, sexual condition, sexual orientation)</td>
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<td>• not enroll pupils over 19 years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements</td>
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<td>• not require any child to attend a charter school nor any employee to work at a charter school</td>
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<td>• if pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information.</td>
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<td>• A charter school shall admit all students who wish to attend.</td>
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<td>3. Description of which students will attend the school</td>
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<td>4. Duration of initial charter petition: 5 years</td>
<td>1, 88</td>
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<td>5. Renewal process/timeline</td>
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<td>6. How the Board of Education and the charter school can monitor the progress in meeting student outcomes</td>
<td>34, 35</td>
<td>YES</td>
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<td>7. Accepts and understands the grounds on which a charter may be revoked</td>
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<td>8. Accepts and understands obligations to comply with specific sections of the Education Code: § 47611 (STRS) and 41365 (Revolving Loan Fund), and all laws establishing minimum age for public school attendance</td>
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<td>YES</td>
<td>NO</td>
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<td>47610</td>
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<td>9. How district/county facilities will be maintained, insured and used by the charter school, if applicable</td>
<td>N/A</td>
<td>YES</td>
<td>NO</td>
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<td>10. How changes, additions or alterations to the facility will be accomplished and the district/county role in the process</td>
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<td>YES</td>
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<td>11. How school personnel, district/county will be insured against liability claims resulting from school operations</td>
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<td>YES</td>
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<td>12. Agreement between the charter school and the sponsoring agency detailing process and responsibility for operations, i.e., accounting, budgeting, payroll, liability insurance, and the like and contracted services and supervisory oversight</td>
<td>94, 96</td>
<td>YES</td>
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<td>13. Agreement between the charter school and sponsoring agency detailing funding and services for special education students</td>
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<td>14. Agreement between the charter school and sponsoring agency detailing operational funding levels</td>
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<td>15. Agreement between the charter school and sponsoring agency detailing processes for responding to inquiries</td>
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<td>8</td>
<td>1. Description of the educational program of the school <em>(Element 1)</em></td>
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<td>• an identification of those whom the school is attempting to educate</td>
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<td>• description of what it means to be an educated person in the 21st century</td>
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<td>• how learning best occurs</td>
<td>YES</td>
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<td>• goals of the program</td>
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<td>• how the objective of enabling pupils to become self-motivated, competent, life-long learners will be met by the school</td>
<td>YES</td>
<td>NO</td>
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<td>APP O</td>
<td>• instructional framework which includes instructional approaches, scope and sequence, addressing state standards, and evidence (research-based) that instructional program has been successful with similar student population.</td>
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<td>NO</td>
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<td>• specific goals for providing and ensuring equal access to academically low achieving students, gifted, low SES, ELLs, special education, and a goal for reclassification of ELLs.</td>
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<td>• attendance requirements including length of school day and year</td>
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<td>14</td>
<td>• instructional materials and the process by which curriculum, materials and instructional activities are to be selected</td>
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<td>• reference to NCLB as it relates to student achievement and credentialing</td>
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<td>• instructional strategies</td>
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<td>• daily schedule</td>
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<td>• mission/vision</td>
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<td>• demographics/academic achievement of surrounding schools</td>
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<td>• High School only</td>
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<td>2. Measurable student outcomes to be achieved by students <em>Element 2</em></td>
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<td>• extent to which all pupils demonstrate that they have attained skills, knowledge and attitudes specified as goals</td>
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<td>• when and how often pupil outcomes will be assessed including any assessments of innovative components</td>
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<td>• specific quantitative outcomes which students must demonstrate proficiency in and/or progress toward and time frame for progress</td>
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<td>• identification of who will be accountable for student progress and it relates to student achievement</td>
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<td>• graduation rate (HS only)</td>
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<td>35</td>
<td>3. Method by which pupil progress in meeting pupil outcomes is measured <em>Element 3</em></td>
<td>YES</td>
<td>NO</td>
<td>47605 (b) (5) (C) 47605 (c)(1)</td>
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<td>42</td>
<td>• use of standardized test scores in measuring pupil progress</td>
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<td>41</td>
<td>• use of variety of assessment tools</td>
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<td>40</td>
<td>• use of longitudinal, survey and other data in measuring pupil progress (in- house assessments)</td>
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<td>40</td>
<td>• methods to ensure that all statewide standards are met and pupil assessments conducted</td>
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<td>35, 37</td>
<td>• process school will use to ensure that students meet the statewide performance standards and evidence of improved pupil learning</td>
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<td>41</td>
<td>• process for conducting pupil assessments pursuant to EC § 60602.5</td>
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<td>41</td>
<td>• description of all assessment tools including in house assessments</td>
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<td>38</td>
<td>• identification of the grading policy</td>
<td></td>
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<td></td>
<td>• district required language for testing</td>
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| 43   | 4. Governance structure of the school including the process which is to be followed to ensure parent involvement (Element 4)  
   - process which ensures staff, students and other stakeholder involvement  
   - methods by which schools consult with parents and teachers regarding school's educational programs  
   - decision-making process, organizational chart, and relevant site committees  
   - assurances that school will comply with all laws relating to public agencies in general, all federal laws and regulations and state codes, such as the Ralph M. Brown Act  
   - what, if any, relationships district/county will maintain with the charter school and how it will be accomplished  
   - process for amendments to charter  
   - articles of incorporations and bylaws of nonprofit corporation  
   - selection process of board members and governance committees  
   - audit and inspection of records  
   - district required language for governance | NO | YES | 47605 (b) (5) (D) 47605 (c)(2) |
| APP I | TAB 6c..  
TAB 6b..  
44  
43 | 5. Qualifications to be met by individuals to be employed by the school (Element 5)  
   - process for staff selection  
   - job descriptions for positions  
   - credentials, requirements and qualifications of staff  
   - employee compensation-general description  
   - identification of the roles and functions of staff members  
   - measures of assessment of performance  
   - procedure to be used for adequate background checks  
   - process for recruiting teachers  
   - procedure for monitoring credentials | NO | YES | 47605 (b) (5) (E) 47605 (1) |
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<td>52</td>
<td>6. Procedures that the school will follow to ensure the health and safety of pupils and staff (Element 6)</td>
<td>YES</td>
<td>NO</td>
<td></td>
<td>47605 (b) (5) (F) 47605(g)</td>
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<td></td>
<td>• school will meet the requirement that each employee of the school furnish a criminal record summary as required in BC §44237</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• how the school will ensure that its facilities are safe</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• how the school will ensure that its auxiliary services are safe (food services, transportation, custodial services, hazardous materials)</td>
<td>YES</td>
<td>NO</td>
<td></td>
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<td></td>
<td>• role of staff as mandated or non-mandated child abuse reporters</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• TB requirements</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• employee fingerprints</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• student immunization requirement</td>
<td>YES</td>
<td>NO</td>
<td></td>
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<td></td>
<td>• address of the facilities to be used by the charter school</td>
<td>YES</td>
<td>NO</td>
<td></td>
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<td></td>
<td>• compliance with state building code, federal ADA requirements</td>
<td>YES</td>
<td>NO</td>
<td></td>
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<td></td>
<td>• assurance of Certificate of Occupancy prior to school opening</td>
<td>YES</td>
<td>NO</td>
<td></td>
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<td></td>
<td>• contains District required language regarding health and safety procedures</td>
<td>YES</td>
<td>NO</td>
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<td>55</td>
<td>7. Means by which school will achieve racial and ethnic balance among its pupils that reflects the general population residing within the district/county jurisdiction (Element 7)</td>
<td>YES</td>
<td>NO</td>
<td></td>
<td>47605 (b) (5) (G)</td>
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<td></td>
<td>• geographic areas that will be targeted in the outreach effort</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• state languages to be utilized in the outreach</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• district required language for this element</td>
<td>YES</td>
<td>NO</td>
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<td>59</td>
<td>8. Admission requirements, if any (Element 8)</td>
<td>YES</td>
<td>NO</td>
<td></td>
<td>47605 (b) (5) (H)</td>
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<tr>
<td></td>
<td>• admission assurances preferences</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• lottery assurance and procedures</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• waiting list</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• preference (if applicable)</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• states the charter school will admit all pupils who wish to attend</td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>• efforts the school will employ to recruit academically low-achieving, students with disabilities, and economically disadvantaged students</td>
<td>YES</td>
<td>NO</td>
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<td>YES</td>
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<td>61</td>
<td>9. Manner in which an annual independent financial audit will be conducted and exceptions/deficiencies resolved (Element 9)</td>
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<td>62</td>
<td>10. Procedures by which students can be suspended or expelled (Element 10)</td>
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<td>62</td>
<td>• procedure for involving parents, students and staff in designing and implementing a discipline policy</td>
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<td>62</td>
<td>• due process for students</td>
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<td>63-64</td>
<td>• appeals of disciplinary action</td>
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<td>64</td>
<td>• procedures for ensuring rights of students</td>
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<td>65</td>
<td>• list of suspension and expulsion offenses</td>
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<td>68</td>
<td>• suspension and expulsion procedure</td>
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<td>62</td>
<td>• general discipline approach</td>
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<td>63-64</td>
<td>• procedures for rehabilitation readmission and interim placement</td>
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<td>62</td>
<td>• district required language regarding special education students</td>
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<td>65</td>
<td>• Description of how the school will implement the District's Discipline Foundation Policy</td>
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<td>75</td>
<td>11. Procedures for dealing with staff issues (Element 11)</td>
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<td>75</td>
<td>• relationship between the teachers and the district/county bargaining unit</td>
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<td>75</td>
<td>• process by which salaries, benefits working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined</td>
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<td>75</td>
<td>• labor procedures which will be applied to employees</td>
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<td>75</td>
<td>• process for resolving complaints/grievances</td>
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<td>75</td>
<td>• process for ensuring due process</td>
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<td>75</td>
<td>• manner by which staff members will be covered by STRS, PERS, Social Security or Medicare</td>
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<td>75</td>
<td>• process for staff recruitment, selection, evaluation and termination</td>
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<td>75</td>
<td>• Procedure for processing and monitoring credentials</td>
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<td>75</td>
<td>• Reporting PERS/STRS contributions</td>
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| 76   | 12. Public school attendance alternatives for pupils residing within the district/county who choose not to attend the charter school *Element 12*  
- inform parents or guardians of each pupil enrolled in the charter that pupil has no right to admission in a non-charter District school as a consequence of charter school enrollment  
- not require any child to attend a charter school nor any employee to work at a charter school  
- District required language regarding attendance alternatives | | | 47605 (b) (5) (L) |
| 77   | 13. Description of the rights of any employee of the district/county upon leaving the district/county to work in a charter and rights of return to the district/county after employment in a charter school *Element 13*  
- what the employment status relative to the district/county of charter school employees is and what it will be in the event the charter school ceases or in the event employees seek employment in the district/county | | | 47605 (b) (5) (M) |
| 78   | 14. Procedures to resolve disputes relating to provisions of the charter *Element 14*  
See LAUSD “District Required” Language  
*Element 14*  
- District required language regarding the dispute resolution procedures | | | 47605 (b) (5) (N) |
| 80   | 15. Declaration of Exclusive Public School Employer *Element 15* | | | 47605 (b) (5) (O) |
| 81   | 16. Description of charter school closure procedures. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records *Element 16*  
- District required language regarding charter school renewal, revocation, and closing procedures | | | 47605 (6) A (ii) O |
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</table>
| 93, 94 | Other Items: 17. Description of the manner in which administrative services of the school are to be provided  
- responsibility for evaluating employees  
- criteria and procedures used in evaluation  
- how hiring decisions are made | YES | NO | | | 47605 (g) |
| 18. Budget for the financial operation which is consistent with the requirements of any school district budget  
Tab 6c:  
- proposed first year operational budget (including start-up costs)  
Tab 6e:  
- financial projections for first three years  
85  
- process for investment procedures and deposit of funds  
85  
- procedure for ensuring adequate cash flow  
95  
- process for assuring that resources will be available to meet the needs of students with disabilities including transportation in those cases it is a related service | | | | | 47605(g) |
| 82 | 19. Liability of district/county to handle payments if charter school defaults  
- for schools organized pursuant to Non-Profit Benefit Corporation Law  
- for schools not covered by Non-Profit Benefit Corporation Law  
81, 82  
- AB 1994  
- general assurances “District Required” language | | | | | 47604 |

* PAGE: Petitioner to identify page(s) in petition in which items are located
AMENDED AND RESTATED BYLAWS OF ASPIRE PUBLIC SCHOOLS,
a California Nonprofit Public Benefit Corporation

ARTICLE 1: OFFICES

Section 1.1 Principal Office

The principal office for the transaction of the business of the Corporation shall be located at 1001 – 22nd Avenue, Oakland, California, in Alameda County, California. The Board of Directors may change the principal office from one location to another, and this section shall be amended accordingly.

Section 1.2 Other Offices

The Board of Directors may at any time establish branch offices, either within or outside the State of California, in order to advance the proper purposes of the Corporation.

ARTICLE 2: OBJECTIVES AND PURPOSES

This Corporation has been formed under the California Nonprofit Public Benefit Corporation Law for the purposes stated in the Articles of Incorporation, including any amendments thereto. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign of or in opposition to any candidate for public office.

ARTICLE 3: DEDICATION OF ASSETS

The properties and assets of this Corporation are irrevocably dedicated to public benefit and/or charitable purposes. No part of the net earnings, properties, or assets of this Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or any Director or Officer of this Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable
purposes and which has established its exempt status under Internal Revenue Code §501(c)(3).

ARTICLE 4: NO MEMBERS

This Corporation shall have no members within the meaning of the California Nonprofit Public Benefit Corporation Law. All rights which would otherwise by law vest in the members shall vest in the Board.

ARTICLE 5: DIRECTORS

Section 5.1 Powers

(a) General Corporate Powers. The business and affairs of the Corporation shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors.

(b) Specific Powers. Without prejudice to their general powers, the Directors shall have the power to:

(i) Select and remove the Officers of the Corporation; prescribe any powers and duties for them that are consistent with the law, with the Articles of Incorporation, and with these Bylaws; and fix their compensation, if any.

(ii) Change the principal executive office or the principal business office in the State of California from one location to another; cause the Corporation to be qualified to do business in any other state, territory, dependency, or country, and conduct business within or outside the State of California; and designate any place within the State of California for the holding of any meeting.

(iii) Borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation's purposes, in the Corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt.

(iv) Adopt, make, and use a corporate seal and alter the form of the seal.

Section 5.2 Number of Directors

The number of Directors shall be not less than three (3) nor more than eleven (11), with the exact authorized number of Directors to be determined by the Board from time to time.
Section 5.3 Board of Directors; Term of Office.

(a) The members of the Board of Directors are those persons whose names are attached to these Bylaws as Exhibit A. The Directors shall each serve until the later of the date of Annual Meeting designated beside his or her name in Exhibit A, or the date his or her successor is elected. Subsequent Directors shall be elected by a majority vote of the Directors at each Annual Meeting, including the vote(s) of any Director whose term of office expires with that meeting. A term may not exceed six (6) years.

(b) The Chairperson of the Board shall be selected by a majority vote of the Directors following the appointment or election of Directors at each Annual Meeting.

(c) A vacancy on the Board shall occur in the event of (i) the death, resignation or removal of any Director; (ii) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court of competent jurisdiction to have breached a duty under the California Nonprofit Public Benefit Corporation Law; (iii) the failure of the Board of Directors, at any meeting at which any Director is to be elected, to elect the number of Directors required to be elected at such meeting; or (iv) the increase in the number of Directors. Vacancies on the Board of Directors may be filled by approval of the Board of Directors or, if the number of Directors is less than a quorum, by (i) the unanimous consent of the Directors then in office, (b) the affirmative vote of the majority of Directors then in office at a meeting held a cording to notice in compliance with the provisions of the Ralph M. Brown Act, or (c) a sole remaining Director.

(d) Except as designated below, any Director may resign by giving written notice to the Chairperson of the Board, to the Secretary, or to the Board of Directors. The resignation shall be effective when notice is given unless the notice specifies a later time for the resignation to become effective. Except on notice to the California Attorney General, no Director may resign if the Corporation would be left without a duly elected Director.

(e) Any Director may be removed, with or without cause, by a vote of the majority of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of the meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act.

Section 5.4 Place of Meetings

Meetings shall be conducted at the principal office of the Corporation. The Board of Directors may also designate that a meeting be held at any place within California that has been identified notice in compliance with the provisions of the Ralph M. Brown Act.
Section 5.5 Meetings; Annual Meeting

All meetings of the Board of Directors, including the Annual Meeting, shall be called, noticed and held in compliance with the provisions of the Ralph M. Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. The Annual Meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors.

Section 5.6 Regular Meetings

Regular meetings of the Board of Directors, including the Annual Meeting, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least seventy-two (72) hours before a regular meeting, the Board of Directors, or its designee, shall post an agenda containing a brief description of each item of business to be transacted or discussed at the meeting.

Section 5.7 Special Meetings

(a) Special meetings of the Board of Directors for any purpose may be called at any time by the Chairperson of the Board, the President, or any two (2) Directors. The party calling a special meeting shall determine the place, date and time. In accordance with the Ralph M. Brown Act, special meetings may be held only after twenty-four (24) hours notice is given to each Director and to the public through the posting of an agenda containing a description of the general nature of the business proposed. Pursuant to the Ralph M. Brown Act, the Board of Directors shall adhere to the following notice requirements for special meetings:

(b) Any such notice shall be addressed or delivered to each Director at the Director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the Director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Directors is regularly held.

(c) Notice by mail or email shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

(d) The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other
than the business the general nature of which was set forth in the notice, may be transacted at a special meeting.

Section 5.8 Quorum

During open session, a majority of the directors then in office shall constitute a quorum. For purposes of closed session, a majority of the directors then in office and eligible to vote on the closed session item shall constitute a quorum. All acts or decisions of the Board of Directors shall be by majority vote based upon the presence of a quorum. Should there be fewer than a majority of Directors present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy.

Section 5.9 Telephone Conference Meetings

Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Ralph M. Brown Act are followed:

(a) At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school districts in which the Corporation's schools operate;

(b) All votes taken during a teleconference meeting shall be by roll call;

(c) If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;

(d) All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;

(e) Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference locations; and

(f) The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

Section 5.10 Adjournment

A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given, unless the meeting is adjourned for more than twenty-four (24) hours, in which case notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to
the Directors who were not present at the time of the adjournment, and to the public in the manner prescribed by the provisions of the Ralph M. Brown Act.

Section 5.11 Compensation of Directors

Directors shall serve without compensation except that they shall be allowed reasonable advancement or reimbursement of actual reasonable expenses incurred in carrying out his or her duties. Directors shall not otherwise be compensated.

Section 5.12 Restriction on Employee Directors

No current employees of the Corporation may serve on the Board of Directors. The Board of Directors may adopt other policies circumscribing potential conflicts of interest.

Section 5.13 Non-Liability of Directors

No Director shall be personally liable for the debts, liabilities or other obligations of this Corporation.

Section 5.14 Contracts with Non-Director Designated Employees

This Corporation shall not enter into a contract or transaction in which a non-Director designated employee directly or indirectly has a material financial interest unless all of the requirements of the Corporation's Conflict of Interest Policy have been fulfilled.

Section 5.15 Compliance with Laws Governing Student Records

This Corporation and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA").

Section 5.16 Non-Discrimination

This Corporation shall not discriminate on the basis of race, religion, national origin, gender, age or sexual orientation in hiring, firing or admissions.

ARTICLE 6: COMMITTEES

Section 6.1 Committees of Directors

The Board of Directors may, by resolution adopted by a majority of the Directors then in office, designate one or more committees consisting of two (2) or more Directors, and only of directors, to serve at the pleasure of the Board. Meetings of committees shall comply with the provisions of the Ralph M. Brown Act, including those provisions concerning advisory committees as set forth therein. Minutes of each such
meeting shall be kept and filed with the corporate records. Any committee, to the extent provided in the resolution of the Board, shall have all or a portion of the authority of the Board, except that no committee, regardless of the Board resolution, may:

(a) Take any final action on any matter that under the California Nonprofit Public Benefit Law also requires approval of the members or approval by a majority of the members;

(b) Fill vacancies on the Board of Directors or on any committee;

(c) Amend or repeal the Articles of Incorporation or Bylaws or adopt new Bylaws;

(d) Amend or repeal any resolution of the Board that by its express terms is not so amendable or subject to repeal;

(e) Designate any other committee of the Board or appoint the members of any committee;

(f) Approve any transaction (i) to which the Corporation is a party and as to which one or more Directors has a material financial interest, or (ii) between the Corporation and one or more of its Directors or between the Corporation and any corporation or firm in which one or more of its Directors has a material financial interest.

Section 6.2 Executive Committee

The Board may appoint two (2) or more Directors and the Chairperson to serve as the Executive Committee of the Board. The Chairperson shall serve as chairperson of the Executive Committee. The Executive Committee, unless limited by a resolution of the Board, shall have and may exercise all the authority of the Board in the management of the business and affairs of the Corporation between meetings of the Board.

Section 6.3 Compensation Committee and Compensation Review

At any time this Corporation compensates its CEO or CFO, the Corporation shall have a Compensation Committee consisting of at least three (3) Directors and exclusively of Directors. Directors who are also employees of the Corporation may not serve on the Compensation Committee. The Compensation Committee shall review the compensation of the CEO and CFO, as well as of such other Officers of the Corporation as the Compensation Committee determines appropriate. This review shall occur when such officer is hired, when the term of employment of such officer is renewed or extended, and when the compensation of such officer is modified, unless the modification applies to substantially all of the employees of this corporation. Based on its review, the Compensation Committee shall recommend just and reasonable compensation amounts to the Board. At the request of the CEO or the Board, the Compensation Committee shall review any issue involving staff compensation and benefits, including but not limited to housing, health, and retirement plans.
Section 6.4 Audit Committee

At all times that this Corporation is required by applicable law to have an independent audit, or at any time the Corporation voluntarily chooses to do so, the Corporation shall have an Audit Committee consisting of at least three (3) Directors and may include nonvoting advisors. The Audit Committee shall perform the duties and adhere to the guidelines set forth from time to time by the Board. These duties include, but are not limited to: (i) assisting the Board in choosing an independent auditor and recommending termination of the auditor, if necessary, (ii) negotiating the auditor's compensation, (iii) conferring with the auditor regarding the Corporation's financial affairs, and (iv) reviewing and accepting or rejecting the audit. Members of the Audit Committee shall not receive compensation for their service on the Audit Committee. If the Corporation has a Finance Committee, a majority of the members of the Audit Committee may not concurrently serve as members of the Finance Committee, and the Chair of the Audit Committee may not serve on the Finance Committee.

Section 6.5 Advisory Committees

The Board may establish one or more Advisory Committees to the Board. The members of any Advisory Committee may consist of Directors or nondirectors. Advisory committees may not exercise the authority of the Board to make decisions on behalf of the corporation, but shall be limited to making recommendations to the Board or the Board's authorized representatives and to implementing Board decisions and policies. Advisory Committees shall be subject to the supervision and control of the Board.

Section 6.6 Meeting and Action of Committees

The Board of Directors may adopt rules for any committee not inconsistent with the provisions of these Bylaws.

ARTICLE 7: OFFICERS

Section 7.1 Officers

The Corporation shall have the following Officers: Chief Executive Officer (CEO), Secretary, Chief Financial Officer (CFO), and any Officers as the Board may designate. Officers need not be Directors. One person may hold two or more offices, except those of CEO and Secretary, and CEO and CFO.

Section 7.2 Election of Officers

The officers of the corporation shall be chosen by the Board of Directors, and each shall serve at the pleasure of the Board.
Section 7.3 Removal of Officers

The Board of Directors may remove any officer with or without cause. An officer who was not chosen by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the powers of removal.

Section 7.4 Resignation of Officers

Any Officer may resign at any time by giving written notice to the Board of Directors, the CEO, or the Secretary of the Corporation. Any resignation shall take effect at the date of receipt of that notice or at any later time specified in that notice. Unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation shall be without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

Section 7.5 Vacancies in Office

A vacancy in any Office because of death, resignation, removal, disqualification, or any other cause shall be filled only in the manner prescribed in these Bylaws for regular appointments to that Office.

Section 7.6 Responsibilities of Officers

(a) Chief Executive Officer (CEO). The CEO has shall be the general manager of the Corporation and shall supervise, direct and control the Corporation's activities, affairs, and officers. The CEO shall be responsible to the Board of Directors, shall see that the Board is advised on all significant matters of the Corporation's business, and shall see that all orders and resolutions of the Board are carried into effect. The President shall be empowered to act, speak for, or otherwise represent the Corporation between meetings of the Board. The CEO shall perform other duties as may be prescribed by the Board of Directors or the Bylaws.

(b) Secretary. The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings and actions of Directors and committees of Directors. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, or special, and if special, how authorized; the notice given; and the names of those Directors present at such meetings. The Secretary shall keep or cause to be kept a copy of the Articles of Incorporation and Bylaws, as amended to date. The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors required by the Bylaws to be given. The Secretary shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.

(c) Chief Financial Officer (CFO). The CFO shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of the Corporation. The books of account shall be
open to inspection by any Director at all reasonable times. The CFO shall deposit all
money and other valuables in the name and to the credit of the Corporation with such
depositors as may be designated by the Board of Directors; shall disburse funds of the
Corporation as may be ordered by the Board of Directors; shall render to the CEO and
Directors, whenever they request it, an account of all financial transactions and of the
financial condition of the Corporation; and shall have other powers and perform such
other duties as may be prescribed by the Board of Directors or the Bylaws. If required
by the Board of Directors, the CFO shall give the Corporation a bond in the amount and
with the surety specified by the Board for the faithful performance of the duties of his or
her office and for restoration to the Corporation of all its books, papers, vouchers,
money, and other property of every kind in his or her possession or under his or her
control on his or her death, resignation, retirement, or removal from office.

ARTICLE 8: RECORDS AND REPORTS

Section 8.1  Maintenance of Articles and Bylaws

The Corporation shall keep at its principal executive office the original or a copy
of its Articles and Bylaws as amended to date.

Section 8.2  Maintenance of Other Corporate Records

The accounting books, records, and minutes of the proceedings of the Board of
Directors and any committee(s) of the Board of Directors shall be kept at such place or
places designated by the Board of Directors, or, in the absence of such designation, at
the principal executive office of the Corporation. The minutes shall be kept in written or
typed form, and the accounting books and records shall be kept in either written or
typed form or in any other form capable of being converted into written, typed, or printed
form.

Section 8.3  Inspection by Directors

Every Director shall have the absolute right at any reasonable time to inspect all
books, records, and documents of every kind and the physical properties of the
Corporation and each of its subsidiary corporations. This inspection by a Director may
be made in person or by an agent or attorney, and the right of inspection includes the
right to copy and make extracts of documents. This right of inspection may be limited
by FERPA or other such similar laws.

Section 8.4  Annual Report

Within 120 days after the end of the Corporation’s fiscal year, the CEO shall
furnish or cause to be furnished a written report to all Directors containing the following
information:
(a) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year;

(b) The principal changes in assets and liabilities, including trust funds, during the fiscal year;

(c) The revenue or receipts of the Corporation, both unrestricted and restricted for particular purposes, for the fiscal year;

(d) The expenses or disbursements of the Corporation, for both general and restricted purposes, during the fiscal year;

(e) Any transaction during the previous fiscal year involving more than $50,000 in which the Corporation (or its parent or subsidiaries, if any) was a party and in which any Director or Officer of the Corporation has a direct or indirect financial interest, or any of a number of such transactions in which the same person had a direct or indirect financial interest and which transactions in the aggregate involved more than $50,000; and

(f) Any other information required under these Bylaws.

The report shall be accompanied by any report of independent accountants or, if there is no such report, by the certificate of an authorized officer of this Corporation that such statements were prepared without an audit from the books and records of this Corporation.

Section 8.5 Financial Audit

The Corporation shall obtain a financial audit for any tax year in which it receives or accrues gross revenue of $2 million or more, excluding grant or contract income from any governmental entity for which the governmental entity requires an accounting. Any audited financial statements obtained by the Corporation, whether or not required by law, shall be made available for inspection by the Attorney General and by the general public within 9 months after the close of the fiscal year to which the statements relate. For 3 years, such statements (a) shall be available at the Corporation's principal, regional, and district offices during regular business hours and (b) shall be made available either by mailing a copy to any person who so requests in person or in writing, or by posting them on the Corporation's website.

ARTICLE 9: INDEMNIFICATION OF DIRECTORS AND OFFICERS

Section 9.1 Right to Indemnification

To the fullest extent permitted by law, this Corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any action or
proceeding by reason of the fact that such person is or was an Officer, Director, or agent of this Corporation, or is or was serving at the request of this Corporation as a Director, Officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, or other enterprise, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding, to the fullest extent permitted under the California Nonprofit Corporation Law.

In determining whether indemnification is available to the Director, Officer, or agent of this Corporation under California law, the determination as to whether the applicable standard of conduct set forth in Corporations Code §5238 has been met shall be made by a majority vote of a quorum of Directors who are not parties to the proceeding. If the number of Directors who are not parties to the proceeding is less than two-thirds of the total number of Directors seated at the time the determination is to be made, the determination as to whether the applicable standard of conduct has been met shall be made by the court in which the proceeding is or was pending.

The indemnification provided herein shall not be deemed exclusive of any other rights to which those indemnified may be entitled, and shall continue as to a person who has ceased to be an agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

Section 9.2 Insurance

This Corporation shall have the power and shall use its best efforts to purchase and maintain insurance on behalf of any Director, Officer, or agent of the Corporation, against any liability asserted against or incurred by the Director, Officer, or agent in any such capacity or arising out of the Director's, Officer's, or agent's status as such.

ARTICLE 10: CONTRACTS AND LOANS WITH DIRECTORS AND OFFICERS

Section 10.1 Contracts with Directors and Officers

(a) No Director or Officer of this Corporation, nor any other corporation, firm, association, or other entity in which one or more of this Corporation's Directors or Officers are directors or have a material financial interest, shall be interested, directly or indirectly, in any contract or other transaction with this Corporation, unless (i) the material facts regarding such Director's or Officer's financial interest in such contract or transaction and/or regarding such common directorship, officership, or financial interest are fully disclosed in good faith and are noted in the minutes, or are known to all members of the Board prior to consideration by the Board of such contract or transaction; (ii) such contract or transaction is authorized in good faith by a majority of the Board by a vote sufficient for that purpose without counting the vote or votes of such interested Director(s); (iii) prior to authorizing or approving the transaction, the Board considers and in good faith determines after reasonable investigation under the
circumstances that the Corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances; and (iv) this Corporation enters into the transaction for its own benefit, and the transaction is fair and reasonable to this Corporation at the time the transaction is entered into.

(b) The provisions of this Section do not apply to a transaction which is part of an educational or charitable program of the Corporation if it: (i) is approved or authorized by the Corporation in good faith and without unjustified favoritism; and (ii) results in a benefit to one or more Directors or Officers or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this Corporation.

Section 10.2 Loans to Directors and Officers

The Corporation shall not make any loan of money or property to or guarantee the obligation of any Director or Officer, unless approved by the Attorney General of the State of California; provided, however, that the Corporation may advance money to a Director or Officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of the duties of such Director or Officer, provided that in the absence of such advance such Director or Officer would be entitled to be reimbursed for such expenses by the Corporation.

ARTICLE 11: FISCAL YEAR

The fiscal year of the Corporation shall end on June 30.

ARTICLE 12: AMENDMENTS

These Bylaws may be adopted, amended, or repealed by a majority vote of the entire Board of Directors.

ARTICLE 13: CONSTRUCTION AND DEFINITIONS

Section 13.1 Construction and Definitions

Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the above, the masculine gender includes the feminine and neuter, the singular number includes the plural, and the plural number includes the singular.
Section 13.2    Electronic Transmission

Subject to any guidelines and procedures that the Board of Directors may adopt from time to time, the terms "written", and "in writing" as used in these Bylaws include any form of recorded message in the English language capable of comprehension by ordinary visual means and may include electronic transmissions, such as facsimile or email, provided (i) for electronic transmissions from the Corporation, the Corporation has obtained an unrevoked written consent from the recipient to the use of such means of communication; (ii) for electronic transmissions to the Corporation, the Corporation has in effect reasonable measures to verify that the sender is the individual purporting to have sent such transmission; and (iii) the transmission creates a record that can be retained, retrieved, reviewed, and rendered into clearly legible tangible form.
CERTIFICATE OF SECRETARY

I, the undersigned, the duly elected Secretary of Aspire Public Schools, a California nonprofit public benefit corporation, do hereby certify:

That the foregoing Bylaws consisting of fourteen (14) pages and the following one (1) page exhibit were adopted as the Bylaws of the Corporation by the Directors of the Corporation on March 16th, 2012, and the same do now constitute the Bylaws of said Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name this on March 16th, 2012.

[Signature]
By: Stephanie Wilson
Its: Interim Secretary
SUPPORTING DOCUMENT 5

Articles of Incorporation
CERTIFICATE OF AMENDMENT AND RESTATEMENT 
OF THE 
ARTICLES OF INCORPORATION

James Willcox and James Cleveland certify that:

1. They are the Chief Executive Officer and the Secretary, respectively, of Aspire 
   Public Schools, a California nonprofit public benefit corporation.

2. The Articles of Incorporation of this corporation are hereby amended and 
   restated as set forth in the attached Articles of Incorporation, which are incorporated by 
   this reference as if set forth in full in this Certificate.

3. The foregoing amendment and restatement has been duly approved by this 
   corporation's Board of Directors.

4. This corporation has no members.

We further declare under penalty of perjury under the laws of the State of California 
that the matters set forth in this certificate are true of our own knowledge.

DATED: 6/20/2013 2013 
James Willcox, Chief Executive Officer

DATED: 6/20/2013 2013 
James Cleveland, Secretary
ARTICLES OF INCORPORATION
OF
ASPIRE PUBLIC SCHOOLS

ARTICLE I

The name of this corporation is Aspire Public Schools.

ARTICLE II

A. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.

B. The specific and primary purpose of this corporation is to engage in charitable and educational activities within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future United States Internal revenue law (the "Code"), including and not limited to operating and managing public charter schools.

ARTICLE III

A. This corporation is organized and operated exclusively for exempt purposes within the meaning of Section 501(c)(3) of the Code. Notwithstanding any other provision of these Articles, this corporation shall not carry on any activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code, or (2) by a corporation, contributions to which are deductible under Sections 170(c)(2), 2055(a)(2), 2106(a)(2)(A)(ii), 2522(a)(2), or 2522(b)(2) of the Code.

B. Except as permitted by law, no substantial part of the activities of this corporation shall consist of the carrying on of propaganda or otherwise attempting to influence legislation, nor shall this corporation participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office.
ARTICLE IV

The property of this corporation is irrevocably dedicated to charitable and educational purposes meeting the requirements for exemption provided by Section 214 of the California Revenue and Taxation Code, and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer, or member (if any) of this corporation, or to the benefit of any private person. Upon the winding up and dissolution of this corporation and after paying or adequately providing for the debts and obligations of this corporation, the remaining assets shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable and educational purposes meeting the requirements for exemption provided by Section 214 of the California Revenue and Taxation Code and that has established its tax-exempt status under Section 501(c)(3) of the Code.
CONFLICT-OF-INTEREST CODE FOR THE

ASPIRE PUBLIC SCHOOLS

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the Aspire Public Schools ("Aspire")

Individuals holding designated positions shall file their statements of economic interests with Aspire, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) Upon receipt of the statements for the Members of the Board, and the Chief Executive Officer/President, Aspire shall make and retain copies and forward the originals to the Fair Political Practices Commission. All other statements will be retained by Aspire.
### APPENDIX A

#### DESIGNATED POSITIONS

<table>
<thead>
<tr>
<th>Designated Position</th>
<th>Assigned Disclosure Category</th>
</tr>
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<tbody>
<tr>
<td>Members of the Governing Board</td>
<td>I, II, III</td>
</tr>
<tr>
<td>CEO/President</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Chief Academic Officer</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Chief Financial Officer</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Chief Operating Officer</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Director of Expanded Learning Systems</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Finance</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Human Resources</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Information Technology</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Operations</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Director of Professional Development</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Growth and Strategy</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Director of Secondary Program</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Special Projects</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Special Education</td>
<td>II, III</td>
</tr>
<tr>
<td>Director of Student Services</td>
<td>II, III</td>
</tr>
<tr>
<td>Financial Analyst</td>
<td>II, III</td>
</tr>
<tr>
<td>Principals</td>
<td>II, III</td>
</tr>
<tr>
<td>Regional Vice Presidents</td>
<td>I, II, III</td>
</tr>
<tr>
<td>Consultants</td>
<td>*</td>
</tr>
</tbody>
</table>

*Consultants are included in the list of designated positions and shall disclose pursuant categories I, II and III, subject to the following limitation:

The CEO/President may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code.
APPENDIX B

DISCLOSURE CATEGORIES

Category I:

(a) Interest in real property which is located in whole or in part either (1) within the boundaries of any county in which Aspire Public Schools operates, or (2) within two miles of the boundaries of any county in which Aspire Public Schools operates, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

(b) Investments in and income (including gifts, loans, and travel payments) from sources which are or have been within the previous two-year period engaged in the performance of building construction or design within the counties in which Aspire Public Schools operates.

(c) Investments, business positions in and income (including gifts, loans and travel payments) from sources engaged in the acquisition or disposal of real property within the jurisdiction.

Category II: Investments, business positions in, and income (including gifts, loans, and travel payments) from sources which manufacture or sell supplies, books, machinery, or equipment of the type to be utilized by the employee’s department.

Category III: Investments, business positions in, and income (including gifts, loans, and travel payments) from sources which are engaged in the performance of work or services of the type to be utilized by the employee’s department.

For purposes of this conflict-of-interest code:

The term department refers to the agency, Aspire Public Schools, and includes all school locations for the following positions: Members of the Governing Board, CEO/President, Chief Academic Officer, Chief Financial Officer, Chief Operating Officer, Director of Finance, Director of Operations, Director of Growth and Strategy, and Regional Vice Presidents.

The term department refers to the specific area of responsibility/section for the following positions: Director of Human Resources, Director Information Technology, Director of Professional Development, Director of Secondary Program, Director of Special Projects, Director of Special Education, Director of Student Services and Financial Analyst.

The term department refers to a specific school for all principal positions.
SUPPORTING DOCUMENT 7
Lottery and Registration Forms
STUDENT INTEREST FORM
STUDENT GRADE, BY YEAR

THIS YEAR (20__ - 20__): GRADE______
NEXT YEAR (20__ - 20__): GRADE______

STUDENT INFORMATION (PLEASE PRINT CLEARLY)

Student’s Legal Name
First Name ___________________ Middle Name ___________________ Last Name ___________________

Date of Birth ___________________ Birthplace ___________________
City ___________________ State _______ Zip _______

Grade Student is Applying for ___________________ Current School ___________________
Gender ☐ Male ☐ Female

Current School District ___________________

Have you also applied to another Aspire School? ☐ Yes ☐ No Which School?

FAMILY INFORMATION (PLEASE PRINT CLEARLY)

<table>
<thead>
<tr>
<th>Parent 1/Mother</th>
<th>Parent 2/Father</th>
<th>Legal Guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street Address</td>
<td></td>
<td></td>
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<tr>
<td>City, State, Zip</td>
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<tr>
<td>Work Phone</td>
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<tr>
<td>Home Phone</td>
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<tr>
<td>Cell Phone</td>
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<tr>
<td>E-mail</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Student Lives With ☐ Mother ☐ Father ☐ Both ☐ Guardian/Other ___________________

Do any siblings attend this school? ☐ Yes ☐ No

Sibling Name ___________________
Sibling DOB ___________________
Sibling Grade ___________________

PLEASE RETURN THIS APPLICATION TO THE SCHOOL IN WHICH YOU ARE INTERESTED.
Note that enrollment deadlines, lottery dates, and preference categories may differ by school. Please contact each school for more information.

Aspire Public Schools shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

For Office Use Only: Date rec’d ___________________ Rec’d by ___________________
Rev. 10/11
www.aspirepublicschools.org
SOLICITUD DE INTERÉS DEL ESTUDIANTE
GRADO DE ESTUDIANTE, POR AÑO
ESTE AÑO (20___ - 20___): GRADO_____
PRÓXIMO AÑO (20___ - 20___): GRADO_____

INFORMACIÓN DEL ESTUDIANTE (POR FAVOR ESCRIBA CLARAMENTE)
Nombre Legal
Nombre: ____________________________ Segundo Nombre: ____________________________ Apellido: ____________________________
Grado del Aplicante: ____________________________ Escuela Actual: ____________________________ Género: □ Masculino □ Femenino
Distrito Escolar Actual: ____________________________

¿Ha aplicado a otra escuela Aspire? □ Sí □ No ¿A cuál escuela?

INFORMACIÓN FAMILIAR (POR FAVOR ESCRIBA CLARAMENTE)

<table>
<thead>
<tr>
<th>Nombre</th>
<th>Padre</th>
<th>Guardián Legal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dirección</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ciudad/Estado/Código Postal</td>
<td>Num de Tel del Trabajo</td>
<td>Num de Tel de Casa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Celular</td>
<td></td>
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<tr>
<td>Correo Electrónico</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

El estudiante vive con □ Madre □ Padre □ Ambros Padres □ Guardián/Otro

¿Tiene hermano(s) que asisten a esta escuela? □ Sí □ No

<table>
<thead>
<tr>
<th>Nombre</th>
<th>Edad</th>
<th>Grado</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

REGRESE ESTA APLICACIÓN A LA ESCUELA EN QUE ESTÉ INTERESADO
Tenga en cuenta que pueden diferir los plazos de inscripción, fechas de lotearía y categorías de preferencia por la escuela. Póngase en contacto con cada escuela para obtener más información.

Las Escuelas Públicas Aspire no discriminarán con base de las características listadas en el Código de Educación, Sección 720 (incapacidad verdadera o percibida, sexo, nacionalidad, raza u origen étnico, religión, orientación sexual, o cualquier característica que está dentro de la definición de crímenes de odio establecido en la Sección 422.5 del Código Penal o asociación con un individuo que tiene cualquiera de las características mencionadas.).

For Office Use Only: Date rec'd ____________________________ Rec'd by ____________________________
Rev. 10/11
www.aspirepublicschools.org
STUDENT INFORMATION (PLEASE PRINT CLEARLY)
INFORMACIÓN DEL ESTUDIANTE (FAVOR ESCRIBIR LEGIBLE)

Student's Legal Name
Nombre Legal del Estudiante
Last Name: ___________________________ First Name: ___________________________
Middle Name: _________________________

Grade: Next year (20____ to 20___)   Gradenextyear: ______
Grado: Próximo año (20____ a 20___) Grado próximo año: ______

Age/Edad: ___________________________ Date of Birth/Fecha de Nacimiento: ______
Gender/Género: O Male/Masculino O Female/Feminino

Student's Birth City: ___________________________ Birth State: ________ Birth Country: ________
Ciudad de Nacimiento de Estudiante: ___________________________ Estado de Nacimiento: ________ Páis de Nacimiento: ________

CONTACT INFORMATION / INFORMACIÓN DE CONTACTO

Home Address:
Dirección de la Casa: ___________________________
Street: ___________________________ City: ________ State: ________ Zip: ________
Calle: ___________________________ Ciudad: ________ Estado: ________ Código Postal: ________

Mailing Address:
Dirección de Correo: ___________________________
Street: ___________________________ City: ________ State: ________ Zip: ________
Calle: ___________________________ Ciudad: ________ Estado: ________ Código Postal: ________

Child Resides With
O Both Parents O Mother O Father O other
El (la) Niño(a) Vive con O Ambos Padres O Madre O Padre O otro(a)

MOTHER / MADRE
Parent 1/Padre 1

FATHER / PADRE
Parent 2/Padre 2

LEGAL GUARDIAN / GUARDIÁN LEGAL

Name / Nombre

Home Phone / Teléfono de la Casa

Work Phone / Teléfono del Trabajo

Cell Phone / Teléfono Celular

E-Mail / Correo Electrónico

SIBLINGS LIVING IN THE HOME / HERMANOS(AS) QUE VIVEN EN LA CASA

Do any siblings attend an Aspire School? O Yes O No
¿Algún(a) Hermano(a) asiste a una Escuela Aspire? O Sí O No

Sibling Name
Nombre del Hermano (a)

Sibling Age and Date of Birth
Edad y Fecha de Nacimiento del Hermano (a)

Sibling School
Escuela del Hermano (a)

Sibling Grade
Grado del Hermano (a)
EMERGENCY CONTACTS / CONTACTOS DE EMERGENCIA

Contact #1 / Contacto #1
Name / Nombre: ___________________________ Relationship to Child / Parentesco con el (la) Niño(a): ___________________________
Emergency Contact Telephone # / No. de Teléfono del Contacto de Emergencia: ___________________________

Contact #2 / Contacto #2
Name / Nombre: ___________________________ Relationship to Child / Parentesco con el (la) Niño(a): ___________________________
Emergency Contact Telephone # / No. de Teléfono del Contacto de Emergencia: ___________________________

ADDITIONAL STUDENT INFORMATION / INFORMACIÓN ADICIONAL DEL ESTUDIANTE

The following information is for planning purposes and will enable us to provide your child with an appropriate education program.
La siguiente información es para fines de planeear y nos permitirá darle a su hijo(a) un programa de educación apropiado.

PREVIOUS SCHOOL HISTORY / HISTORIAL DE ESCUELAS ANTERIORES

Have you ever enrolled at another Aspire School? O Yes O No
¿Usted ha estado matriculado(a) antes en otra Escuela Aspire? O Sí O No

Name of school: __________________________________________
Nombre de la escuela: ______________________________________

Last grade completed before beginning with Aspire: Último grado completado antes de empezar con Aspire: ___________________________
Last school attended: Último escuela asistido: ___________________________

Last School District / Último Distrito Escolar: ___________________________

Has your child been previously expelled, or is your child currently expelled? ¿Su hijo(a) ha sido expulsado(a) antes, o su hijo(a) está expulsado(a) actualmente? O Yes / Sí O No District / Distrito: ___________________________

Please provide the date of original entry into a United States school if from another country.
Por favor indique la fecha de entrada original a los Estados Unidos si es de otro país. Date / Fecha: __________/________/________

SPECIAL PROGRAMS / PROGRAMAS ESPECIALES

Does your child have a current IEP or 504 plan? O Yes O No
¿Su hijo(a) tiene un IEP o plan 504 vigente? O Sí O No

Has your child ever had an IEP or 504 plan? O Yes O No if exited, when (school year)?
¿Su hijo(a) ha tenido alguna vez un IEP o 504 plan? O Sí O No ¿Si se salió, ¿cuándo (año escolar)?

I give consent to Aspire Special Education to request my child's current confidential IEP records from his/her previous school.
Doy consentimiento para el equipo de educación especial de Aspire para solicitar registros confidenciales actuales de IEP de mi hijo de su escuela anterior.

Parent's/Caregiver's/Guardian's Signature
Firma de Padre / Cuidador / Guardián: ___________________________ Date / Fecha: __________/________/________
ENGLISH PROFICIENCY OF THE STUDENT: (CHECK ONE ONLY) / DOMINIO DEL INGLÉS DEL ESTUDIANTE:
(MARQUE SOLAMENTE UNA)

O Fluent English Speaker
Habla inglés Fluido

O Limited English Proficient / English Language Learner
Dominio Limitado del inglés / Aprendiz del idioma inglés

O Non-English Speaking
No Habla inglés

O Status unknown
Estatus Desconocido

Date student first enrolled in K-12 in a United States school:
Fecha en que el (la) estudiante se matriculó por primera vez en K-12 en una escuela en Estados Unidos: __/__/____

STUDENT'S PRIMARY AND HOME LANGUAGE / IDIOMA PRIMARIO Y DEL HOGAR DEL ESTUDIANTE

1. What is the first language your child learned to speak?
¿Cuál es el primer idioma que su niño aprendió a hablar?

2. What language does your child speak most often outside of school?
¿Qué idioma habla su niño más a menudo fuera de la escuela?

3. What language do people usually speak in this child's home? (parents, guardians, grandparents, or any other adults)
¿Qué idioma habla generalmente en casa de este niño? (padres, guardianes, abuelos o cualquier otro adulto)

4. Which language would you prefer for information sent to the home from school?
¿Qué idioma prefiere para información enviada a la casa de la escuela?

ADDITIONAL STUDENT INFORMATION / INFORMACIÓN ADICIONAL DEL ESTUDIANTE

STUDENT'S PRIMARY RACE (PLEASE PRINT CLEARLY)
RAZA / ORIGEN ÉTNICO (MARQUE SOLAMENTE UNA)

Is the student Hispanic or Latino? O No, not Hispanic or Latino O Yes, Hispanic or Latino
¿El/la estudiante es hispano o latino? O No, no es hispano ni latino O Sí, es hispano o latino

O Alaskan Native or American Indian / Nativo(a) de Alaska o indígena estadounidense

Asian (Please Specify) / Asiática (Favor Especificar)
O Hmong / Hmong O Asian Indian / indio Asiático O Chinese / China O Japanese / Japonesa

O Filipino / Filipina o Koreana O Vietnamese / Vietnamita O Louisiana O Cambodian / Camboyana

O other Asian/ otra Asiática:

Hawaiian or other Pacific Islander (Please Specify) / Hawaiana o de otra isla del Pacífico (Favor Especificar)
O Guamanian / Guamanía O Samoan / Samoana O Hawaiian / Hawaiana O Tahitian / Tahitiana

O other Pacific Islander / otra isla de la Pacífica

O Black or African American (Not of Hispanic origin) / Negra o Africana (No de origen Hispano)

O White or Caucasian (Please Specify if Known) / Blanca / Caucásica (Favor Especificar si se sabe)
**STUDENT REGISTRATION FORM / FORMULARIO DE REGISTRO DE ESTUDIANTE**

**PARENT EDUCATION / EDUCACIÓN DE LOS PADRES**

Among all parents/guardians residing with the student, what is the highest level of education? (Check one only) Entre todos los padres / acudientes que residen con el (la) estudiante, ¿cuál es el nivel más alto de educación? (Marque solamente uno)

<table>
<thead>
<tr>
<th>HIGH SCHOOL / ESCUELA SECUNDARIA</th>
<th>COLLEGE AND BEYOND / UNIVERSIDAD Y MÁS</th>
<th>OTHER / OTRA</th>
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<tbody>
<tr>
<td>O High School Diploma</td>
<td>O Some College (includes AA Degree)</td>
<td>O Decline to State or unknown</td>
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<tr>
<td>Diploma de Escuela Secundaria</td>
<td>Algun Estudio universitario (incluye - Título AA)</td>
<td>Se Niega a indicarlo o No se sabe</td>
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<tr>
<td>O Not a H.S. Graduate</td>
<td>O Bachelor/Baccalaureate Degree (BA, AB, BS, etc.)</td>
<td></td>
</tr>
<tr>
<td>No Graduado(a) de la Escuela Secundaria</td>
<td>Título Profesional / Licenciatura (BA, AB, BS, etc.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>O Graduate School/Post-Graduate Training</td>
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</tr>
<tr>
<td></td>
<td>Título de Postgrado / Estudios de Postgrado</td>
<td></td>
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</table>

Aspire Public Schools shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics)

Las Escuelas Públicas Aspire no discriminarán con base de las características listadas en el Código de Educación, Sección 220 (incapacidad verdadera o percibida, sexo, nacionalidad, raza u origen étnico, religión, orientación sexual, o cualquier característica que está dentro de la definición de crímenes de odio establecido en la Sección 422.5 del Código Penal o asociación con un individuo que tiene cualquiera de las características mencionadas).

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**FOR OFFICE USE ONLY / PARA USO DE LA OFICINA SOLAMENTE**

<table>
<thead>
<tr>
<th>Shot Records</th>
<th>Proof of Residency</th>
<th>Copy of Birth Certificate/Passport</th>
<th>Proof of Guardianship</th>
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<tr>
<td>Entry Logged</td>
<td>Advisory</td>
<td>Schedule</td>
<td>Challenge</td>
</tr>
<tr>
<td>Cum. Requested Date</td>
<td>Cum. Requested Date</td>
<td>PowerSchool Entry Date</td>
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</tr>
</tbody>
</table>
SUPPORTING DOCUMENT 8

Resumes of Lead Petitioners
Elise Darwish
12 Sierra Avenue, Piedmont, CA 510-407-8673 elise.darwish@aspirepublicschools.org

Experience

Chief Academic Officer
1999 to Present
Aspire Public Schools, Oakland, CA
- Founding Chief Academic Officer of the first charter management organization in the country.
  * Designed and implemented the K-12 instructional program currently implemented in 37 schools with a majority of high poverty students.
  * Made key decisions about the strategy and growth of Aspire as part of the founding management team.
  * Built processes and systems for educational practices to be replicated within the organization.
  * Supported and evaluated principals in all regions and grade levels.
- Increased achievement to be the highest performing school system compared to similar California districts
  * Raised average Academic Performance Index from 619 to 824 while increasing enrollment from 500 students to 12,000.
  * Created schools where over 95% of underserved students are accepted to 4 year universities.
- Shared practices, materials and systems to school districts, other charter management organizations, non-profits and individual charter schools.

Adjunct Professor in Educational Leadership
2004-2008
San Jose State University, San Jose, CA
- Taught classes in educational administration.

Instructional Coordinator
1995-1999
San Carlos Charter Learning Center, San Carlos, CA
- Instructional leader for the first charter school in California.
- Created an innovative educational program designed to be the research and development site for the San Carlos School District.
- Responsible for all aspects of the academic and operational processes of the school.

Assistant Principal and Teacher
1990-1995
Woodside School District, Woodside, CA
Teacher
1989-1990
Morton Grove School District, Morton Grove, IL
Teacher
1988-1989
The Harvard School, Chicago, IL

Education
San Francisco State University,
Masters of Education
University of Illinois,
Bachelor of Science, Education

References
References are available on request.
Elise Darwish
12 Sierra Avenue, Piedmont, CA 510-467-8673 elise.darwish@aspirepublicschools.org

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1990-1995
Woodside School District, Woodside, CA
Teacher
1989-1990
Morton Grove School District, Morton Grove, IL
Teacher
1988-1989
The Harvard School, Chicago, IL

Education
San Francisco State University,
Masters of Education
University of Illinois,
Bachelor of Science, Education
San Francisco, CA
Urbana, IL

References
References are available on request.
EDUCATION
Masters of Science, Reading 2010-2012
California State University, Fullerton
Bachelor of Science, Child and Adolescent Development 2003-2006
Graduated BTEP-Blended Teacher Education Program, with honors.

CREDENTIALS & CERTIFICATIONS
California Preliminary Administrative Credential 2013- Present
K-12 California Reading/Language Arts Specialist Credential 2010-2012
California Cleared Multiple Subject Teaching Credential 2006-2007
California Reading Certificate 2010-2011

PROFESSIONAL EXPERIENCE
Principal
Aspire Public Schools- Antonio Mario Logo Academy, Huntington Park June 2012- Present
• Created student data disaggregation procedures to assess students’ strengths and weaknesses, determined areas of needing improvements and demonstrated strategic and purposeful decisions to support student achievement:
  o Restructured the daily schedule to better utilize extracurricular staff and provide additional support for students not meeting benchmarks in math and reading, reevaluated the use of financial expenditures to utilize additional staff to focus on math instruction in grades 2, 5,&6
• Observed teachers and provided purposeful feedback through coaching conversations on a regular basis
• Developed new leaders and provides leadership opportunities
• Established a culture of respect and rapport which supported students emotional safety through behavior support plans, SSTs, collaboration between family and school.

Principal Resident / Interim Principal
Aspire Public Schools- Slauson Academy, South Los Angeles July 2012- May 2013
• Shadowed veteran principal and gradually increased responsibilities to 100%
• Managed student disciplinary procedures, including parental conferences
• Conducted Student Study Team (SST) and Individualized Education Plan meetings
• Conducted 2 formal TCRP observations, 12 mini observations

Lead Literacy Intervention Specialist & RTI Coordinator
Aspire Public Schools Firestone Academy, South Gate, CA 2010-2012
• Conducted Professional developments on topics such as: Developmental Reading Assessment (DRA), guided reading, Response to Intervention, Student Study Team (SST), and parent workshops on various literacy topics
• Implemented Response to Intervention (RTI)- Academic and Behavior school wide
• Co-taught with grades 4/5 and significantly improved math data to proficient and above
• Implemented Read with Me book program for grades K-2

Data Driver
Aspire Public Schools-Firestone Academy, South Gate, CA 2010-Present
• Coached educators in analyzing data and creating pacing guides and using data to differentiate instruction
• Trained and facilitated the implementation/evaluation of key Data Analysis Assessments
• Modeled how to use the tools with real data to make data driven instructional decisions and evaluate achievement growth

BTSA Induction Coach
Aspire Public Schools-Firestone Academy, South Gate, CA 2010- Present
• Developed supportive relationships with new teachers on instructional practice and professional growth
• Observed and modeled instructional guidelines (LG’s) to support teacher development and student achievement
• Collaborated and attended Induction Coach meetings to improve best coaching practices

Second Grade Lead Teacher
Aspire Public Schools-Firestone Academy, South Gate, CA 2010-2011
• Organized systems/procedures and managed student behavior to ensure all students engagement in learning using Doug Lemov Techniques
• Conducted weekly lesson plan meetings to develop strategic objectives, lessons, and classroom activities consistent with data analysis
• Created the second grade pacing guide based on data along with monthly assessments to monitor progress

K/1 Lead Teacher
Aspire Public Schools - Titan Academy, Huntington Park, CA
Aspire Public Schools - Antonio Mario Lugo Academy (AML), Huntington Park, CA
- Led a team of six K/1 teachers- provided feedback and differentiated next steps to guide a rigorous curriculum
- Incorporated the use of data on a daily basis, consistently tracking and analyzing a variety of metrics against goals to continually improve student achievement
- Created a culture of collaboration by planning and facilitating team meetings that are rich in conversations and activities related to the improvement of teaching and learning.
- Adapted and implemented curriculum for many ELL students by scaffolding and using GLAD strategies and Thinking Maps
- Conducted guided reading training, developed hands-on activities during work stations, differentiated curriculum, communicated with parents to maximize student achievement.

Teach for America (TFA) Head Teacher Leader, South Gate, CA
Teach for America (TFA) Faculty Advisor, Huntington Park, CA
- Summer 2011
- Summer 2009
- Mentored intern-teachers and guided them to fulfill best teaching practices through purposeful feedback
- Conducted weekly meetings with Teacher Leaders and addressed concerns with proactive solutions
- Collaborated with the School Director and Operational Manager to run a seamless and effective Summer Institute 2011

PROFESSIONAL TRAINING
- Nonfiction Reading and Writing- Meeting the Common Core State Standards, Grades K-8
  Keynote Speaker: Irene Fountas
- Developing Curriculum for Writing through Craft and Illustration
  Keynote Speaker: Katie Wood Ray
- Project G.L.A.D. (Guided Language Acquisition Design)
- Thinking Maps
- Lee Canter- Classroom Management
- Doug Lemov
- Open Court, Imagine IT

QUALIFICATIONS & SKILLS
- Diagnostic assessments
- Data analysis
- Microsoft word, Excel, PowerPoint
- Class websites
Diana Rivera  
143 Nevada Ave.  
Los Angeles, CA 90063  
323.537.1413 Cell  
d_rivera26@yahoo.com

Objective
To obtain a position in an educational setting.

Skills
- Excellent Organizational Skills  
- Strong Customer Relations Skills  
- Computer Proficiency  
- Data Entry  
- Computer: Microsoft Word, Internet Data Search
- Telephone Answering, Multi-Line System  
- Word Processing and Typing  
- Knowledge in using office equipment  
- Filing

Experience
Office Manager  
ASPIRE Public Schools  
Antonio Maria Lugo Academy  
Huntington Park, CA

2011 to Present

Responsible for overall operations of the school site. Report to Principal and work closely with all levels within the school and home office as well as with students, parents, and outside consultants/vendors.

DUTIES & RESPONSIBILITIES:
- Manage all aspects of the Student Information System (ensuring integrity of student demographic, health, scheduling, and academic data).
- Responsible for the custody of student files, ensuring they are obtained and maintained effectively.
- Manage all aspects of student enrollment and attendance reporting, maintaining accurate electronic and hard copy records.
- Serve as Bookkeeper for school. Collect and process payments for a variety of events (e.g., lunch deposits, donations, fundraisers)
- Supervise office assistant, building manager, and classified staff.
- Develop, train and evaluate effectively.
- Attend all Office Manager Meetings, as well as other relevant district-wide Professional Development sessions.
- Responsible for school administrative functions/tasks as dictated by school site and home office. Work with outside vendors, manages front office, and develops necessary communications internally and externally.
- Act as the main point of contact for internal, external, and Home Office stakeholders.
Office Assistant
ASPIRE Public Schools
Antonio Maria Lugo Academy
Huntington Park, CA

2009 - 2011

Responsible for assisting the Office Manager in overall office operations of the school.

DUTIES & RESPONSIBILITIES:
- Provide administrative support for the Office Manager and Principal. Screen visitors/telephone calls, manage correspondence, schedule meetings, order supplies, and necessary communications.
- Process documents and materials such as student transfers, student cumulative records, schedules, reports, and school newsletters.
- Assists in all aspects of student enrollment and attendance reporting as directed by Office Manager.
- Maintain accurate student attendance for the purpose of providing accurate information for District and State reporting (includes daily absence verification calls, receiving/recordng tardy students, and ensuring weekly attendance sheets are signed by teachers).
- Administer first aid and medication to students to meet immediate health care needs.
- Maintain inventory including first aid kit supplies to ensure availability of required items.

Education
CSU Dominguez Hills
Bachelor of Science, Public Administration

Garfield High School
High School Diploma

References
Sarah Ali (310)487-0413
Jessica Roosinisalda-Gomez (323)204 6048
Janelle Bogran (213)505-4880
SUPPORTING DOCUMENT 9
Board Questionnaires and Resumes
# Aspire Public Schools

## Governing Board Members

### Contact Information

<table>
<thead>
<tr>
<th>Term of Service</th>
<th>Last, First Name</th>
<th>Governing Role</th>
<th>Address</th>
<th>Telephone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/4/03-Present</td>
<td>Hughson, William</td>
<td>Board Member</td>
<td>3005 Highland Parkway, 5th flr. Downers Grove, IL 60515</td>
<td>630-515-4595</td>
<td><a href="mailto:bhughson@devry.com">bhughson@devry.com</a></td>
</tr>
<tr>
<td>10/27/99-Present</td>
<td>Steven Merrill</td>
<td>Board Member</td>
<td>16795 Round Valley Circle, Grass Valley, CA95949</td>
<td>415-362-6868</td>
<td><a href="mailto:smerrill@benchmark.com">smerrill@benchmark.com</a></td>
</tr>
<tr>
<td>4/10/07-present</td>
<td>Louise Muhlfeld Patterson</td>
<td>Board Member</td>
<td>3343 Pacific Ave., San Francisco, CA 94118</td>
<td>415-929-7492</td>
<td><a href="mailto:Lmuhlfeld@aol.com">Lmuhlfeld@aol.com</a></td>
</tr>
<tr>
<td>2/03/04-Present</td>
<td>Dick Spalding</td>
<td>Board Member</td>
<td>88 Kearny St., Flr 4, San Francisco, CA 94108</td>
<td>415-364-2536</td>
<td><a href="mailto:dick@kearnyvp.com">dick@kearnyvp.com</a></td>
</tr>
<tr>
<td>10/22/10-Present</td>
<td>Jonathan Garfinkel</td>
<td>Board Member</td>
<td>345 California St., Suite 3300, San Francisco, CA 94104</td>
<td>415-743-1682</td>
<td><a href="mailto:jgarphinkel@tpg.com">jgarphinkel@tpg.com</a></td>
</tr>
</tbody>
</table>

Los Angeles Unified School District
Charter Schools Division
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beth Hunkapiller</td>
<td>Board Chair</td>
<td>1333 Pebble Drive,</td>
<td>650-592-3580</td>
<td><a href="mailto:bethhunkapiller@me.com">bethhunkapiller@me.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>San Carlos, CA 94070</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greg Jones</td>
<td>Board Member</td>
<td>26642 Alsace Drive,</td>
<td>818-880-4219</td>
<td><a href="mailto:Gjones4sf@aol.com">Gjones4sf@aol.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Calabasas, CA 91302</td>
<td></td>
<td></td>
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<tr>
<td>8/2/00 originally; returned 4/10/12</td>
<td>8/16/12-present;</td>
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PROFESSIONAL SUMMARY

Seasoned, senior-level executive with a proven track record of creating superior business strategy, building high-performing teams and driving operating excellence in both public and private companies.

EXPERIENCE

DEVRY, President, Healthcare Group
S&P 500 provider of educational services.

2009 – Present

- Responsible for DeVry Medical International (Ross University School of Medicine, Ross University of Veterinary Medicine and American University of the Caribbean School of Medicine), Chamberlain College of Nursing and Carrington Colleges Group.
- Chair of the Board of Trustees of Chamberlain College of Nursing; Vice Chair of the Board of Trustees of Ross University.
- Drove $235M acquisition and integration of American University of the Caribbean (AUC).
- Achieved American Veterinary Medical Association accreditation for Ross University School of Veterinary Medicine (the first private-sector school ever to achieve AVMA accreditation).
- Grew revenue from $363M to $558M and operating income from $99M to $127M (does not include AUC).

DAVITA
Fortune 500 provider of dialysis and related services.

2000 – 2009

Vice President

2009 – 2009

- Responsible for three strategic initiatives: Patient Pathway, Falcon and Lab/CKD.
- Invited to become a member of “Desert Rats”, a strategic advisory committee of senior VPs.

Vice President, Sierra Terrific and Pacific Gold Divisions

2008 – 2009

- Responsible for 104 dialysis facilities, acute dialysis services in 73 hospitals, 2,400 teammates and $392M in revenue in Northern California.
- Pacific Gold Division added to responsibilities in August, after only 4 months in role.
- Strengthened physician and teammate morale and increased clinical, operating and financial performance, resulting in 2008 EBITDA $2.9M favorable to budget.
- Achieved significant improvements in clinical quality, from the #14 and #16 divisions to the #4 and #5 divisions out of 27 nationwide.
- Resolved 8 physician partner “hot spots” worth $61M revenue and $18M EBITDA per year.
- Negotiated 4 new physician group partnerships with potential revenue of $15M per year.
- Renegotiated Kaiser acute dialysis contract for Northern California, achieving a 10% increase in revenue per treatment.

President, DaVita Rx (specialty pharmacy subsidiary of DaVita)

2006 – 2008

- Developed company from business plan to revenue of over $80M in 4 years.
- Created an innovative new business model to meet the unique needs of dialysis patients, resulting in high patient satisfaction, a 50% increase in medication adherence levels, and significantly reduced hospitalization rates.
- Built, licensed and operationalized 3 pharmacies to serve DaVita dialysis patients in 43 states.
- Awarded the 2008 DaVita Rx Core Value Award for Fun.
“Executive at Large” (special projects consulting) 2000 – 2006
- Managed multiple special projects over a 6-year period, including:
  o Created, tested and operationalized three different new business concepts:
    DaVita Rx, DaVita At Home and DaVitaCare.
  o Interim “COO of Compliance” responsible for all aspects of regulatory compliance.
  o Managed team responsible for developing strategic business plans for improving
growth and profitability in 20 largest EBITDA-producing markets nationwide.
  o Created an organizational and operational plan to improve performance and reduce
cost in the development of new dialysis facilities.
- Awarded a 2004 “Bridge” award for embodying company Mission and Values.
- Awarded the 2003 “GSD” (Get Stuff Done) Award.

INDEPENDENT CONSULTING, Strategic, financial and operational consulting 1999 – 2000
- Hired by venture capital investors to assist Lucy, a designer and retailer of women’s athletic
  apparel, with their financing strategy, store development strategy and store operations.
- Developed business strategy for ALPS, a multi-national bottled water company.
- Developed and helped implement an e-commerce strategy for the CEO of Chemtex
  International, a plastic raw materials distribution company.

A.G. FERRARI FOODS, President 1997 – 1999
Importer, manufacturer, wholesaler and retailer of high-quality Italian food
- Led the growth of this 80-year-old family-owned business from 4 to 8 stores, while increasing
  sales per square foot by 21% and store contribution by 33%.
- Developed and implemented a complete redesign of the company’s brand identity, including
  name, visual identity and product line, including a successful private-label brand.
- Built a new state-of-the-art centralized commissary and implemented a new point-of-sale and
  inventory management information system.
- Raised over $18M in equity, debt and lease financing.

NOAH’S NEW YORK BAGELS, INC. 1992 – 1996
Manufacturer, wholesaler and retailer of bagels and related products.
President and CFO, Noah’s New York Bagels 1995 – 1996
CEO, President and CFO, Noah’s New York Bagels 1993 – 1995
- Managed sale of the company for $101M, over 3 times 1995 sales, creating more than $75M
  in shareholder value in under 4 years.
- Negotiated the merger of P & A Ventures with Noah’s New York Bagels.
- Drove growth from 1 to 39 stores; from $1M to $40M in sales; from 25 to 1,100 employees.
- Built a strong mission and values-oriented culture. The Center for Values Research placed
  Noah’s Bagels in the top 5% of all workplaces for employee commitment and satisfaction.
- Created a strong brand. BSI identified Noah’s Bagels as one of the top 3 places for “morning
  coffee or meal” in the Bay Area, after McDonalds and Starbucks.
- Successfully fought a Teamsters drive to unionize 85 production and distribution employees.
- Raised over $40M in equity and debt financing.

- Various strategic and implementation projects for a home healthcare company, a mail order
  pharmacy and a digital imaging technology company.

EDUCATION

STANFORD GRADUATE SCHOOL OF BUSINESS, MBA 1990
WILLIAMS COLLEGE, BA Cum Laude in English with a Minor in Economics 1986
AMERICAN UNIVERSITY IN CAIRO, Semester Abroad 1984

ADDITIONAL INFORMATION

Member, Young Presidents Organization: Windy City (2009 – Present); NorCal (2007 – 2009); Barbary Coast (1994 – 97)
Director and member of the Executive Committee, Aspire Public Schools (2003 to Present)
Recipient, Alice B. Toklas Leadership Award for community service (1994)
Five month, 2,100-mile hike of the Appalachian Trail from Georgia to Maine (1981)
Bill Hughson

The following represent my responses to the questionnaire for Perspective Charter School Board members for a charter petition submitted by Aspire Public Schools to the Los Angeles Advise School District Board of Education, Superintendent and staff.

1. I graduated from Williams College in 1986 with a degree in English literature and from the Stanford Graduate School of Business in 1990. My professional affiliations include CEO of Noah’s Bagels, President of AG Ferrari Foods, President of ePlast.com and my current position as President of DaVita Rx. I am also a Director of two medical technology firms, Sensurtec and Fulfillium, and is Managing Member of Silicon Valley Investment Partners. I am married and the proud father of a daughter.

2. I will be at least 18 years old by January 1, 2010

3. I learned of Aspire Public Schools through my Stanford Alumni Association. I was provided an orientation by Stanford MBA and then-COO of Aspire, Gloria Lee. Aspire was interested in a potential director who had experience in a multi-regional organization. I later met other Board members and CEO Don Shalvey. I found the organization to be of value due to the strong mission and performance and was then selected as a Director.

4. I serve on the board because I’m deeply committed to the vision and mission of Aspire Public Schools. Education is a great equalizer and can afford opportunities for a high quality of life. I also believe that governance plays a significant role in an organization’s success and I know my management experience can add value.

5. I have not served as a member of a school board for a school district and this is my first service as a director for a not-for-profit public benefit corporation.

6. I believe the role of a board member is to provide guidance regarding policy and strategy with regards to Aspire’s key functions, which include fiscal and academic achievement and the selection/evaluation of the CEO.
7. I believe that I bring significant experience in the areas of finance and fiscal responsibility, general management expertise (especially with multi-regional organizations) and leadership with organizational culture and human resources. In addition I have experience in aspects of public relations and marketing. All of these seem important to the work of Aspire Public Schools.

8. I anticipate the school will be fully enrolled and that first year achievement will be equal to or greater than those schools that serve the same neighborhood as our school. Student attendance will exceed 95% and parent satisfaction will be high. At the end of the fourth year of operation the school will reach a similar school rank of 7.

9. The Aspire Board of Directors regularly review the organizations finance, personnel decisions and contracts. This is done by both the Executive Committee and the Board Committees of Finance and Audit. If I believed there were improprieties I would work through the President of the Board to have an internal review and if necessary, an external audit of all functions and decisions until a clear picture was established. Pending the results of the audit, potential disciplinary action may be taken.

10. I did not know any other Board members prior to my selection as a Board member (other than CEO Don Shalvey, who I met during the process). I was not married at the time of selection.

11. Neither I nor any family member knows any people that will be perspective school employees at the school.

12. Neither I nor any immediate family member knows of any plans to do business with this school.

13. Aspire Public Schools is a 501C not-for-profit public benefit corporation; which is the petitioner for this charter school. Neither I nor any member of my family is aware that any other service provider will be involved with Aspire for the purposes of supporting the school and I have no relatives who are engaged in any subcontracts for any current schools nor this school as petitioned.
14. Aspire Public Schools is a 501C not-for-profit benefit corporation that is the petitioner for this charter school. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

15. Neither my spouse nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization ("CMO") or the school itself.

16. There is no potential ethical or legal conflict of interest as a result of my service as a Director for Aspire Public Schools.

17. Aspire’s educational model is a California standards-based program that relies on strong teaching methodology, frequent assessments, a “cycle of inquiry” where staff members review students and staff data and make the necessary adjustments to ensure differentiation and student success. The program relies on high expectations for adults and students and the school culture is one of “college for certain.” The instructional materials are consistent with the decisions made by the California State Board of Education’s decisions and wrap-around programs are integrated in order to support every student.

18. I am familiar with the organization’s instructional program. At each Executive Committee meeting there are Instruction Reports. These describe student achievement, professional development effectiveness, staff recruiting, Aspire’s Balanced Scorecard and the "cycle of inquiry." While not an educator I know the metrics that we use for success and apply Aspire’s annual metrics to our monthly meetings.

19. A successful school is one with a specific mission, high expectations, standards and metrics for performance, a consistent Instructional delivery and a “public nature” where staff shares data and work together to support each other and the students. A successful school feels inclusive for parents and the community. It is inviting and supportive. Parents feel involved, students know that there are neighbors who look out for them and local law enforcement and health/safety organizations are well-known and supportive.

Signature
Amy Z

Page 3 of 3
STEVEN L. MERRILL
16795 Round Valley Circle
Grass Valley, CA 95949
415.362.6868
smerrill@benchmark.com

PROFESSIONAL
Bank of America Capital Corporation
President 1968 – 1980
1976 – 1980

Benchmark Capital
Co-Founder 1996 – Present

Foundation Capital
Co-Founder 1996 – Present

Merrill, Pickard, Anderson & Eyre
Co-Founder 1980 – 1996

Bank of America Capital Corporation
President 1968 – 1980
1976 - 1980

EDUCATION
University of Pennsylvania, The Wharton School
Master’s Degree in Business Administration

VOLUNTEER WORK
Aspire Public Schools, Board of Directors
Town School for Boys, Board of Trustees Member
Committee to Restore the San Francisco Opera House
Children’s Health Council
Tahoe Regional Planning Agency
UCSF Foundation
National Advisory Board of the Haas Center at Stanford University
STEVEN L. MERRILL

Biography

Steven L. Merrill has been active in venture capital investing since 1968 when he joined Bank of America's venture capital group. An MBA graduate of the Wharton School at the University of Pennsylvania, he became president of BankAmerica Capital Corporation in 1976 and managed this very successful venture activity until 1980 when he formed and managed Merrill, Pickard, Anderson & Eyre (MPAE), a privately held venture capital partnership.

MPAE managed funds of approximately $285 million provided by a group of institutional limited partners. Some of the companies funded by MPAE include America Online, Aspect Telecommunications, Cypress Semiconductor, Documentum, Komag, LSI Logic, Synopsys, Collabra (acquired by Netscape), Grand Junction, Kalpana (acquired by Cisco), Legato Systems, Maxim Integrated Products, Palm Computing, and Rambus.

MPAE stopped making new investments in 1996 and the partners founded Benchmark Capital and Foundation Capital. Mr. Merrill is a limited partner in both of these firms, but he is no longer involved in the day-to-day management. He is devoting a significant amount of time to civic and non-profit activities as well as his private investments. He was chairman of the Board of Trustees of Town School for Boys, a member of the Committee to Restore the San Francisco Opera House, and he is a past director of the Children's Health Council. Mr. Merrill currently serves on the Board of Aspire Public Schools, the largest Charter School organization in California, the Tahoe Regional Planning Agency, and the UCSF Foundation. He is also a member of the National Advisory Board of the Haas Center at Stanford University and an investment partner in New Schools Venture Fund.

Mr. Merrill is a past president of the Western Association of Venture Capitalists, a past director of the National Venture Capital Association, and has been a director of numerous privately-held companies.
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

Steven Merrill

Background

1. Please provide your educational and employment history. See attached Resume.

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open.
   I was born on January 15, 1942, so was at least 18 years old on January 1, 2012.

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board.
   I am an investment partner in NewSchools Venture Fund, which introduced me to Don Shalvey, a co-founder of Aspire Public Schools. Don Shalvey is one of the most inspirational entrepreneurs and educators I have met. He and my strong interest in education reform inspired me to join the Board at Aspire Public Schools.

4. Please explain why you wish to serve on the board.
   I wish to serve on the board because I am deeply committed to the vision and mission of Aspire Public Schools, which is to provide underserved youth with high quality education and the opportunity to attend and graduate college. I also believe that governance plays a significant role for the success of any not-for-profit organization and I wish to lend my talent and experience to that important role.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.
   - Past board member of The Children’s Health Council, Palo Alto, CA
     This organization strives to make a measurable difference in the lives of children and their families who face developmental, behavioral, emotional and learning challenges.
   - Past board member of Drew School, San Francisco, CA
     This is a small, urban college preparatory learning institution.
   - Past chairman of the board of Town School for Boys, San Francisco, CA
     This is a K-8 Independent day school committed to providing the best possible education for boys.

6. Please describe your understanding of the appropriate role of a public charter school board member. The role of a public charter school board member is to provide knowledge and wisdom as the board oversees the fiscal, legal and academic standards. In this role, I and the entire board adhere to the requirements of the Brown Act and the code of ethics for not-for-profit boards.

7. Please indicate specifically the knowledge and experience that you would bring to the board.
   As a venture capitalist I participated as a board member and investor in the starting and building of many successful businesses, including America Online, Aspect Telecommunications, Cypress Semiconductor, Documentum, Komag, LSI Logic, Synopsys, Collabra (acquired by Netscape), Grand Junction, Kalpana (acquired by Cleco), Legato Systems, Maxim Integrated Products, Palm Computing, and Rambus. This experience gives me tremendous knowledge about the generic issues of building and enterprise, whether it is in the for-profit or not-for-profit world, and a keen understanding of the governance requirements of a board of directors. In addition, my experience on the board and as a chairman of the board of several not-for-profit schools gives me insight into well run education institutions, which adds perspective that can benefit Aspire.
8. Please provide a forecast of where you see the school in one year and then again in five years. It is my estimate that at the end of the first year the school will be fully enrolled. The average daily attendance of the students will be at minimum of 95% and first year academic performance based on API will be comparable to schools in the immediate neighborhood. At the end of four years, I expect the school to be fully enrolled and 95% of the parents will give the school an A or B on the annual parent’s survey. The school will be fiscally sound and the academic performance will be high as measured by the fact that similar school ranks will be eight or above. By the sixth year the school’s API will exceed 800.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)? It is common practice that the Executive Committee and the Board of Directors regularly review the organization and each school’s finances, contracts and personnel decision. Should I or any other board member believe that there are improprieties or naiveté dealing with standards for professional practice and potential conflicts of interest, I would report it to the chair of the board and task for an immediate investigation and analysis of the situation. Should improprieties occur in regards to hiring or contracts then I would ask the board to immediately move to a resolution and discipline if necessary.

Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member.
Richard Spalding and Louise Patterson. I have known Richard as a family friend and venture capitalist and Louise from my tenure on the Board of Drew School. I have never had any business relationship with either.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship.
Neither I nor any member of my immediate family knows any people that will be prospective school employees.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business.
Neither I nor any member of my immediate family knows of any plans to do business with the school.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider.
Aspire Public Schools is a 501C not-for-profit benefit corporation, which is the petitioner for this charter school. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider.
Aspire Public Schools is a 501C not-for-profit benefit corporation that is the petitioner for this charter school. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.
15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship.

Neither I nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization ("CMO") or the school itself.

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school's board. If so, describe such potential conflicts.

I do not foresee potential ethical or legal conflict of interest as a result of my being a member of the Aspire Public Schools Board of Directors.

Educational Philosophy

17. Please describe your understanding of the school's mission and/or philosophy.

Aspire Public Schools' educational model is to design and to provide students with access to opportunities and tools to succeed in higher education and citizenship. Through personalized learning experience students learn and master skills needed in the California standards for rigorous work post-secondary life. To maintain a consistent high quality result, Aspire tracks school performance and outcomes with a balance scorecard.

Aspire Public Schools' education design is a seven core element, each aligned with the others; these are:
1. High Standards and clear learning objectives
2. A sense of community
3. More time for learning
4. A balanced curriculum
5. A variety of teaching methods
6. Rigorous and ongoing assessment
7. Extra support for students as needed

It is the belief of Aspire Public Schools that a philosophy and culture of "college for certain" should be present in every decision and every interaction made with students and adults. It is through this educational philosophy and strong academic program that Aspire Public Schools intends to fulfill each student's aspirations for education and a high quality of life.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize. I am familiar with the organization's Instructional program. As a Board member of Aspire Public Schools, I am briefed on a regular basis by staff, as well as other educators about the educational model. Just as important, the Board reviews performance indicators of all schools on a regular basis as well as program changes to improve performance.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

The following statements represent the key characteristics of a successful school:

a. The highest performing schools have teachers who take responsibility for student achievement and believe that the school has a well-defined plan for instructional improvement.
b. The organization leaders, the principal and the teachers utilize state standards to guide curriculum and instruction.
c. The school has identified essential and key standards. The principal is a knowledgeable source regarding these key standards.
d. Aspire Public Schools provides constant information to all teachers regarding these standards.
e. Aspire provides constant information to all staff regarding the standards.
f. The school materials are aligned with state standards.
g. The school maps and the state curriculum standards are articulated
h. There is a program of frequent and ongoing assessment with the data review regularly with the process of inquiry.
i. Student performance is frequently monitored in order to provide appropriate support both during the day and with after school programs.
j. The school has high expectations and takes responsibilities for every student's achievement.
k. The school culture and vision is focused on student learning.
l. The school culture and all adults in the school are committed to improving student learning.
m. The organization and the principal communicate a clear vision for the school.
n. The principal and all teachers set high standards for student learning.
o. The school culture is focused on performance and an undying belief that all students can learn and achieve.
p. All the school systems including finance, human resources, time and space are focused on the intellectual, personal, and social development of all students.

______________________________
Name (please print)

______________________________
Signature

______________________________
Date

This request for information was developed by the State University of New York Charter Schools Institute.
<table>
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<tr>
<th>Louise Muhlfeld Patterson</th>
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<tr>
<td><strong>Education:</strong></td>
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<tr>
<td>Vassar College – BA (Psychology, Education)</td>
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<tr>
<td>Junior Semester abroad; Oxford University/Vassar Program – Studied British Primary School “Open Classroom” System</td>
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<td><strong>Professional work:</strong></td>
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<tr>
<td>Vice President - Human Resources (1983-1997)</td>
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<td>American Express Company</td>
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<td>New York/San Francisco</td>
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<td>Human Resources/Subdiary Rights' Associate (1980-1983)</td>
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<td>Doubleday Publishing Company</td>
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<td>New York</td>
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<td>Acting VP Human Resources (1997)</td>
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<td>Odwalla, Inc.</td>
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<td>Half Moon Bay</td>
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<td>Human Resources Consultant (1998)</td>
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<td>Addis Corporation</td>
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<td>Berkeley</td>
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<td>Implementation of Quality of Worklife Survey for “Start-up” companies</td>
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<td>Klein Associates (1999-2001)</td>
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<td>Silicon Valley</td>
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<td><strong>Volunteer work:</strong></td>
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<tr>
<td>Trustee - St. Mark’s School (1996-2001)</td>
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<td>Massachusetts</td>
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<td>Chair, Committee on Trustees; Admissions Committee</td>
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<td>Trustee - Drew High School (1997-2001)</td>
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<td>San Francisco</td>
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<td>Chair, Committee on Trustees; Development Committee; Chair, Education Committee; Co-Chair Strategic Planning Committee</td>
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<td>Director - San Francisco Zoological Society (1999-present)</td>
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<td>Chair, Committee on Directors; Chair, HR Committee; Marketing Committee; Chair, Search Committee</td>
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<tr>
<td>Trustee – Marin Country Day School (2000-present) – Vice Chair</td>
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<tr>
<td>Co-Chair Search Committee, Head of School; Co-Chair Strategic Planning Committee, Chair, Committee on Trustees</td>
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<tr>
<td>Board Member – Aspire Public Schools – April, 2007-present</td>
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11/14/2007
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

Louise Muhfeldt Patterson
3343 Pacific Avenue
San Francisco, CA 94118

Below are my responses to the information requested for prospective Charter School Board members for a charter petition submitted by Aspire Public Schools to the Los Angeles Advice School District Board of Education, Superintendent and staff.

Background

1. Please provide your educational and employment history. My professional background is as a human resources generalist having worked for American Express Company for nearly 15 years and consulting to smaller companies more recently. I have also devoted time to non-profit boards, mostly independent K-8 and high schools and also the San Francisco Zoo (which is a city owned institution) where I lend expertise around governance and human resources issues (resume attached).

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open. I will be at least 18 years old by January 1, 2012.

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board. I learned of Aspire Public Schools through Steven Merrill and Dick Spalding who also sit on the Aspire Public Schools Board.

4. Please explain why you wish to serve on the board. I believe deeply in education and their institutions and have served on three independent school boards (see resume attached). I’m very interested in public school education and the possibility of charter schools influencing the improvement in public school education.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience. I have served on 2 independent high school boards and am currently serving my 7th year on a K-8 independent school board. My role tends to be focused around governance issues, strategic planning, head searches, fundraising, quality of work life issues.

6. Please describe your understanding of the appropriate role of a public charter school board member. I believe the appropriate role of a public charter school board member is to guide and provide sound counsel around fiscal responsibilities, adherence to legal requirements as laid out by charters, strategic initiatives, and support Executive Director in his/her decisions and development.

7. Please indicate specifically the knowledge and experience that you would bring to the board. My professional background as a human resources professional combined with my non-profit experience has largely focused on leadership and governance issues. Given Aspire’s governance aspirations and goals, I hope to lend expertise in areas of organizational development, human resources, board governance, leadership and culture related issues.

8. Please provide a forecast of where you see the school in one year and then again in five years. Aspire has high standards and has a track record of meeting or exceeding these goals. If history is a reasonable guide, I would imagine that this school would achieve a healthy enrollment and achieve its academic expectations. At the end of
four years, I would expect the school to be fully enrolled and meeting or exceeding its academic goals and parent satisfaction measurements. In four years I would expect the school to be fully enrolled and meeting or exceeding its academic goals and parent satisfaction measurements.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)? Should an ethical or particularly challenging situation or issue arise, I would discuss it with the Board Chair, James Willcox, CEO and the Executive Committee and recommend appropriate action.

Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member. Before I joined the board, I knew and served on the Drew High School board of trustees with Steven Merrill. I have also known Dick Spalding for years as a personal friend. I do not know any prospective board members for Aspire Public Schools Board of Directors.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship. I do not know any prospective board members.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business. Neither I nor my immediate family members know of any plans to do business with this school.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. If your answer is yes, please indicate the individuals you know and the nature of the relationship. Aspire Public Schools is a 501C not-for-profit benefit corporation that is the petitioner for this charter school. To my knowledge, Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider. Aspire Public Schools has no plans to partner with any other educational service provider for purposes of supporting or managing this proposed charter.

15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship. Neither my spouse nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization or the school itself.

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts. I do not foresee any potential ethical or legal conflicts of interest in serving on the Aspire Public School Board.

Educational Philosophy
17. Please describe your understanding of the school's mission and/or philosophy. Aspire Public Schools' mission is to provide a quality education for underserved students through a personalized and rigorous academic program, prepare them for college and to catalyze change in local school systems.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize. I am familiar with the organization's instructional program. Given my short tenure on the board, I have not fully immersed myself into the details of the academic program, but I have visited 2 Aspire schools in the Oakland area, and am learning about their impressive curriculum offerings and rigorous measurement standards.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful? I believe some of the key characteristics of a successful school are strong leadership, excellent teachers, a robust academic program, effective measurements, appropriate funding, board support and guidance, and community and parent support.

__________________________
Name (please print)

Date

This request for information was developed by the State University of New York Charter Schools Institute.
PROFESSIONAL EXPERIENCE:
Kearny Venture Partners - September 2006 to Present
  Co-Founder & General Partner, Healthcare

  Co-Founder & General Partner, Healthcare Venture Capital

ABS Ventures - January 2000 to March 2003
  General Partner, Healthcare Venture Capital

Portal Software - February 1997 to March 1999
  Vice President & Chief Financial Officer
  First CFO of this Internet billing company. Company grew from 20 people to 250 during tenure. Responsible for finance, HR, legal, facilities and investment relations. Oversaw all fund raising, including $10 mill of debt capital and $25 million of equity, and corporate partner transactions.

Fusion Medical Technologies - March 1996 to January 1997
  Vice President Finance and Corporate Development
  Responsible for financial and administrative functions including HR, communications, legal and investor relations. Responsible for all aspects of the Company’s IPO.

  Managing Director (January, 1992)
  Head of Investment Banking for the West Coast and oversaw the creation and supervision of the Firm’s Japan office. Responsibilities were marketing (as Firm's senior West Coast representative), transactional (equity financings and mergers), managerial (primarily as regarded internal matters in the office-hiring, firing, ethical matters) and administrative.

Brobeck, Phleger & Harrison - June 1977 to November 1991
  Partner (1982)
  Law practice involved serving as outside counsel for numerous public and private companies and acting as underwriters’ counsel. Particular experience in securities laws, negotiating corporate partner transactions and mergers and acting as general legal advisor. Firm responsibilities included co-founding of Palo Alto office (grew from 2 to 60 lawyers during tenure). Later headed the Firm’s San Francisco corporate group and co-chaired the Strategic Planning Committee.

O’Melveny & Meyers (Los Angeles) June 1976 to May 1977
  Associate

EDUCATION:
Columbia University School of Law (1973 - 1976)
  Law Review, Kent Scholar 1974, 1976 (highest annual academic society) Contracts Prize
Harvard University (1968 - 1972)
  Cum Laude (General Studies), John Harvard Scholar 1971, 1972 (highest annual academic society)
Phillips Academy, Andover, MA (1964 - 1968)
  Cum Laude Society (highest academic society)

PERSONAL:
Born December 1950; excellent health
Married for 33 years, three children (30, 27, 23)
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

Richard Spalding  
Director – Aspire Public Schools

Background

1. Please provide your educational and employment history. Resume Attached

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open. Yes, born December 16, 1950

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you to sit on the board. I was recruited by the Board of Directors based on Steven Merrill’s recommendation.

4. Please explain why you wish to serve on the board. I am very interested in improving education in California. Aspire Public Schools was highly recommended by two founders of NewSchools, a non-profit organization supporting education initiatives.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience. I sat on the Board of Trustees of Town School, a private boys’ elementary school in San Francisco. I was Chairman of the Finance Committee.

6. Please describe your understanding of the appropriate role of a public charter school board member. My general responsibility as a director is to oversee the activities of the management group so that the leadership is acting consistently with the charter school’s purpose and with their obligations under California law. These obligations include acting in accordance with their fiduciary responsibilities to the organization and must act with reasonable diligence in performing my duties.

7. Please indicate specifically the knowledge and experience that you would bring to the board. I have been a director of public and private companies, a partner in three (3) venture capital firms, and a partner in a law firm. My experience included serving as the chief financial officer of a public company. I have a thorough understanding of a director’s fiduciary duties.

8. Please provide a forecast of where you see the school in one year and then again in five years. Aspire should look in many ways quite similar to its structure today. It will be involved in several regions of the state, with regional (i.e. localized) oversight for the schools in each area. The home office will continue to grow over the next four years as Aspire continues to move towards its goal of being a sustainable, statewide educational model.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)? If I thought a board member was engaged in self-dealing, I would raise any issues with the chairperson of the board. If I did not believe an adequate investigation had followed, I would inform Aspire’s legal counsel of my concerns and seek my lawyer’s advice as to my continuing obligations in this matter, including the appropriateness of addressing my concerns to the Board as whole or, if warranted, to the appropriate state authority.
Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member. I had a personal friendship with Steven Merrill.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship. See 12.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business. My son Patrick was teacher at Wilson Prep and Aspire school in Oakland, and he previously taught at Capitol Heights in Sacramento.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. No

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider. No

15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship. See 12

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts. None. I will have no involvement in the review in the performance of my son. A specific teacher’s review is not within the Board’s responsibilities and it would be improper for me to behave otherwise.

Educational Philosophy

17. Please describe your understanding of the school’s mission and/or philosophy. Aspire’s mission is clear – to thereby be prepared to operate more effectively in today’s world. It’s philosophy is to establish well defined objectives, for all its constituents, teachers, administration and students, to assess the performance of those objectives and to support its members in achieving them with effective performance reviews.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize. I am familiar with the organization’s instructional program. I consider myself appropriately informed about the school’s education program. I have visited several schools and the education program and results are reviewed at board meetings. As a member of the Finance Committee, I review attendance records by school and am aware of the more and less successful schools in our charter school group.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful? A successful school requires a clear purpose, high standards, effective communication and implementation of both to all school members and integrity. It is the Board’s job to monitor the academic and fiscal performance and the administration fidelity to the organization’s purpose. As needed, we should provide advice in dealing with issues that
arise in these areas, never losing sight of the administration’s primary responsibility for day-to-day operation of the schools.

This request for information was developed by the State University of New York Charter Schools Institute.
JONATHAN GARFINKEL  
3625 Baker Street  
San Francisco, CA 94123  
+1 415 637 5739 (M) / +1 415 743 1682 (W)  
jgarfinkel@alumni.stanfordgsb.org

BUSINESS EXPERIENCE
2005 – Today  TPG CAPITAL - Principal  San Francisco & London  
- TPG is a leading global alternative asset manager with over $45 billion of capital
  - Currently serve as the firm’s Director of Strategy and Business Development
  - Previously led the firm’s investment activities in the financial services industry in the U.S., including asset management, specialty finance, depositories and insurance
  - Historically responsible for analyzing, structuring, negotiating and executing private equity investments of $100 million to $1 billion, with particular experience in commodity industries, retailers, transportation and distressed companies in North America and Western Europe
  - Current and prior Board of Director seats include: ProSight Specialty Insurance, 2Co Energy, Aleris International and Midwest Airlines
  - Member of the firm’s Social Responsibility team

2000 – 2003  NEWBRIDGE LATIN AMERICA - Analyst  Washington, DC  
- NLA was a $300 million Latin American private equity fund sponsored by TPG and Blum Capital
  - Built financial models, wrote descriptive memoranda to the firm’s investment committee and performed due diligence to evaluate prospective transactions throughout Latin America

- Global Power & Project Finance Group, servicing electric utilities and independent power producers
  - Built financial models and provided valuation analysis

PUBLIC EDUCATION-RELATED EXPERIENCE
2010 – Today  ASPIRE PUBLIC SCHOOLS – Board Member  Oakland, CA  
- Aspire is a leading charter school manager operating 34 schools serving over 10,000 students

2006 – 2008  EDUCATION FOR CHANGE – Board Member  Oakland, CA  
- EFC is a charter school manager operating three elementary schools serving ~1,000 students

Summer 2004  NEW SCHOOLS VENTURE FUND – Summer Associate  San Francisco, CA  
- NewSchools is a venture philanthropy fund dedicated to improving public education

EDUCATION
2003 – 2005  STANFORD UNIVERSITY GRADUATE SCHOOL OF BUSINESS  Stanford, CA  
STANFORD UNIVERSITY SCHOOL OF EDUCATION  
- MBA and MA in Education (joint-degree program)
- Co-President of Partnership for Education Club; Co-Chair of Business of Education Conference;
- Mentor to a 3rd grader in East Palo Alto through the I Have a Dream program

1993 – 1997  STANFORD UNIVERSITY  Stanford, CA  
- Bachelor of Arts – Economics
- Four-year varsity rower; Stanford in Berlin; Krupp Intern at Credit Suisse in Zürich

ADDITIONAL INFORMATION
- Married with three children: Madelyn (6), Oliver (4) and Annabelle (16 months)
- Founder and Director of The Skee Club, the alumni association of the Stanford rowing program
- Avid but not particularly talented piano and guitar player
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

As you are already aware, serving on a public charter school board is a position of great trust and responsibility. As a board member of a public school, you are not only ultimately responsible for the education of all students enrolled in the school but also entrusted with the obligation to see that the public monies which are given to the charter school are legally and wisely spent.

In providing the information requested, prospective board members will assist the Innovation and Charter Schools Division in determining if the application demonstrates that the school will be run in a financially, organizationally and educationally sound manner.

Yes and No answers will be acceptable however N/A is not on the following questionnaire.

Background

1. Please provide your educational and employment history. Please attach your resume.

PLEASE SEE RESUME – Jonathan Garfinkel

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open.

YES

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board.

I HAVE BEEN ON THE ASPIRE PUBLIC SCHOOLS BOARD FOR APPROXIMATELY ONE YEAR. I WAS ORIGINALLY INVITED TO SIT ON THE BOARD BY JAMES WILLCOX, ASPIRE'S CHIEF EXECUTIVE OFFICER.

4. Please explain why you wish to serve on the board.

FOR THE REASONS WHY I AM HONORED AND PRIVILEGED TO SERVE ON THE ASPIRE BOARD, INCLUDING A PERSONAL PASSION FOR PUBLIC EDUCATION, BELIEF THAT ALL CHILDREN SHOULD BE AFFORDED A HIGH QUALITY EDUCATION, AND ALL CAN ACHIEVE “COLLEGE FOR CERTAIN.” ASPIRE IS A PROVEN MODEL FOR ACCOMPLISHING THESE GOALS.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.

I PREVIOUSLY SERVED ON THE BOARD OF EDUCATION FOR CHANGE, A CHARTER SCHOOL MANAGER BASED IN OAKLAND MANAGING THREE ELEMENTARY SCHOOLS. JAMES WILLCOX PREVIOUSLY SERVED AS CHIEF OPERATING OFFICER OF EDUCATION FOR CHANGE

6. Please describe your understanding of the appropriate role of a public charter school board member. TO PROVIDE STRONG, INDEPENDENT GOVERNANCE, AND PROVIDE INDEPENDENT-MINDED ADVICE TO THE MANAGEMENT TEAM.

7. Please indicate specifically the knowledge and experience that you would bring to the board.
I HAVE TWELVE YEARS OF CORPORATE SECTOR AND FINANCE EXPERIENCE, WORKING WITH A WORLD-CLASS PRIVATE EQUITY FIRM. I HAVE SIGNIFICANT CORPORATE BOARD EXPERIENCE, HAVING SERVED ON THE BOARD OF DIRECTORS OF SEVERAL MULTI-BILLION DOLLAR COMPANIES, INCLUDING ALERIS INTERNATIONAL, MIDWEST AIRLINES, PROSIGHT SPECIALTY INSURANCE AND 2CO ENERGY. IN THE EDUCATION FIELD, AS NOTED ABOVE, I HAVE SERVED ON THE BOARD OF A CHARTER SCHOOL MANAGER, WORKED FOR NEWSCHOOLS VENTURE FUND, AND BEEN INVOLVED IN NUMEROUS EDUCATION-RELATED ENDEAVORS. I HAVE AN MBA FROM STANFORD'S GRADUATE SCHOOL OF BUSINESS, AND A MASTERS IN EDUCATION FROM STANFORD'S SCHOOL OF EDUCATION.

8. Please provide a forecast of where you see the school in one year and then again in five years.

UNDER ASPIRE'S STEWARDSHIP, THE CHARTER IS HIGHLY LIKELY TO SEE AN IMMEDIATE IMPROVEMENT IN STUDENT OUTCOMES, WHICH WILL CONTINUE TO IMPROVE OVER TIME.

9. How would you handle a situation in which you believe one or more members of the school's board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)?

ZERO TOLERANCE FOR SUCH THINGS.

Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member.

NO

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship.

NO

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business.

NO

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. If your answer is yes, please indicate the individuals you know and the nature of the relationship.

NO

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider.

NO
15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship.

NO

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts.

NO

Educational Philosophy

17. Please describe your understanding of the school’s mission and/or philosophy.

ASPIRE UTILIZES A CONSISTENT MISSION AND PHILOSOPHY ACROSS ITS 30+ SCHOOLS, WHICH IS TO PROVIDE A “COLLEGE FOR CERTAIN” PATH FOR ALL STUDENTS.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize.

PER ABOVE, I AM QUITE FAMILIAR WITH THE ASPIRE PROGRAM, WHICH INCLUDES RIGOROUS TEACHER QUALIFICATION AND TRAINING, EXTENSIVE USE OF DATA TO BETTER GUIDE AND CUSTOMIZE TEACHING, AND A COLLABORATIVE CULTURE WITHIN THE SCHOOLS AND THE OVERALL ASPIRE NETWORK.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

OUTSTANDING TEACHERS, OUTSTANDING LEADERSHIP, HIGH ASPIRATIONS, A MINDSET THAT ALL CHILDREN CAN LEARN AND EXCEL, MENTORSHIP, COLLABORATION, USE OF DATA, COMMUNITY INVOLVEMENT, AND A MUTUAL COMMITMENT OF ALL THOSE INVOLVED TO SEE STUDENTS ACHIEVE AND GO TO COLLEGE.

________________________________________
Name (please print)

________________________________________
Signature

________________________________________
Date

This request for information was developed by the State University of New York Charter Schools Institute.
18. Please indicate your level of familiarity with the educational program that the school proposes to utilize.

PER ABOVE, I AM QUITE FAMILIAR WITH THE ASPIRE PROGRAM, WHICH INCLUDES RIGOROUS TEACHER QUALIFICATION AND TRAINING, EXTENSIVE USE OF DATA TO BETTER GUIDE AND CUSTOMIZE TEACHING, AND A COLLABORATIVE CULTURE WITHIN THE SCHOOLS AND THE OVERALL ASPIRE NETWORK.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

OUTSTANDING TEACHERS, OUTSTANDING LEADERSHIP, HIGH ASPIRATIONS, A MINDSET THAT ALL CHILDREN CAN LEARN AND EXCEL, MENTORSHIP, COLLABORATION, USE OF DATA, COMMUNITY INVOLVEMENT, AND A MUTUAL COMMITMENT OF ALL THOSE INVOLVED TO SEE STUDENTS ACHIEVE AND GO TO COLLEGE.

[Signature]

Name (please print)

[Signature]

Date

This request for information was developed by the State University of New York Charter Schools Institute.
Beth Hunkapiller
1333 Pebble Drive · San Carlos, California · 650-592-3580 (Home) · 650-533-4485 (Cell)

EMPLOYMENT

Los Angeles Times—Journalism Intern—(1970-1972)
Mountain View School District · El Monte, California—(1973-1983)
  • 8th Reading and English Teacher—(1973-1977)
  • Assistant Principal—(1978-1983)
California Department of Education—(2009 to 2011)
  • Director Charter Schools Division

EDUCATION

BACHELOR OF ARTS, ENGLISH AND POLITICAL SCIENCE—Oklahoma Baptist University
MASTER OF SCIENCE—University of Southern California

CREDENTIALS

K - 9 Standard Life Teaching—University of California, Irvine
Administrative Services—California State University, Los Angeles

RELEVANT EXPERIENCES

Founder, San Carlos Charter Learning Center
Member, San Carlos School District Board—(1993 to Present)
Member, California Advisory Commission on Charter Schools—(2002-2011)
Chairperson, California Advisory Commission on Charter Schools—(2008-2010)
Member, Aspire Public Schools Board—(2002-2010)
Chairperson, Aspire Public Schools Board—(2005-2010)

PROFESSIONAL MEMBERSHIPS

California School Boards Association
Phi Delta Kappa
Beth Hunkapiller
1333 Pebble Drive
San Carlos, Ca 94070

Included are my responses to the questionnaire for prospective governing board members for a charter petition submitted by Aspire Public Schools to the LAUSD Board of Education, superintendent and staff.

1. I worked ten years in public education between 1973 and 1983, five as an 8th grade reading and English teacher at Kranz Intermediate in the Mountain View School District in El Monte, California, and five years as a vice principal in the same school. Additionally, I taught reading in an Upward Bound reading lab program to college freshmen and have taught 2 year olds, 3 year olds, and parents in a parent cooperative preschool. Prior to teaching, I worked as an intern at The Kansas City Star and The Los Angeles Times. In addition to having earned a teaching credential and administrative credential, I hold a masters degree in Curriculum and Instruction from USC. For the last 15 years, I've worked in a volunteer capacity and do not have a resume.

2. I will be far beyond 18 years of age by January 1, 2008: my date of birth is August 17, 1949.

3. I'm honored to be one of the longest serving members of Aspire's Board of Directors. Don Shalvey asked me to serve on Aspire's board after knowing me eight years as a San Carlos School District board member. After Aspire formed and he concluded his employment with the school district, I joined the Aspire board where my continuing service on both the San Carlos board and the Aspire board brings reflection, learning and clarity about governance.

4. Aspire's mission to provide young people with a high quality education and the opportunity to attend college is noble and rewarding work. I wish to serve because I believe I play an effective role in helping the board exercise its role in the organization's accomplishment of its mission.

5. I've served fourteen years on the San Carlos School District Board of Trustees with four terms as chair. I've served as a member of the San Carlos Charter Learning Center Governing Board for three years and also have been on the Caltech/JPL Child Development Center Board of Directors. Also relevant is the charter school oversight role I have as a founding member of the Advisory Commission on Charter Schools where I've served since the Commission formed in 2000.

6. The appropriate role of a public charter school board member is to oversee the fulfillment of the fiscal, legal and academic requirements of a school to the highest standards achievable. Board members should act collectively and in conformance with the Brown Act.

7. I've been a thoughtful observer of California public education, taking my experiences as a school board member in northern California with my experiences as a staff member in a much poorer area in California and combining both with the study of many charter schools and districts from all over California as I've sat on the Advisory Commission on Charter Schools. I've examined hundreds of charter school budgets, seen dozens of petitions, participated in appeals, revocations, and listened and participated in the development of many policy recommendations for the State Board. Further, my membership on Aspire's Board is deeply thoughtful,
results focused, analytical and strategic work that I have every expectation would benefit a new LAUSD charter granted to Aspire. Other specific experience I have which is less relevant now, but unforgettable, is as a founder of the San Carlos Charter Learning Center, whose petition was the first submitted to the State under the 1992 Charter Schools Act. My current involvement on its governance council is deep, highly rewarding and instructive to me.

8. The staff is forecasting that by the end of the first year of operation, the school will be fully enrolled with average daily attendance of students at a minimum of 95% and an API will be comparable to schools in the immediate neighborhood. At the end of four years, we project the school to be fully enrolled and 95% of the parents will give the school an A or a B on the annual Aspire parent survey. The school will be fiscally sound and academic performance will be high as measured by a similar school rank of 8 or above. By the 6th year the school's API will exceed 800.

9. As chair of the board and member of the audit committee, I discuss with the audit committee conflict of interest issues regularly. Should an issue of board member self-dealing or conflict of interest be reported to me by staff or board members, I would gather facts and analyze the matter with both the CEO and the other audit committee members. If the matter involved any member of this group, I would ask the Executive committee to evaluate the issue with me, recommend steps to resolution or discipline. Should hiring improprieties or contract conflict of interests occur, staff and/or board would move quickly to correct.

10. I don't know of any prospective board members.

11. I know no prospective employees.

12. I don't know anyone who may do business with the school.

13. Aspire is a 501C not-for-profit public benefit corporation. It has no plans to partner with any other educational service provider for managing or supporting the proposed charter. Aspire is the petitioner.

14. Aspire is a 501C not-for-profit public benefit corporation. It has no plans to partner with any other educational service provider for managing or supporting this proposed charter. Aspire is the petitioner.

15. Neither my spouse nor any relative will conduct business with Aspire Public Schools, the Charter Management Organization “CMO” or the school itself.

16. I don’t foresee any potential ethical or legal conflict of interest as a result of my service for the Aspire Public Schools Board of Directors.

17. Aspire’s educational model is to design and to provide students with access to opportunities and tools to succeed in higher education, work and citizenship. Through personalized learning experiences, students learn and master skills needed
in the California standards for rigorous work and post secondary life. To maintain a consistent high quality result, Aspire tracks school performance and outcomes with a “balanced scorecard”.

Aspire’s education design has seven core elements. Each is aligned with the others.

1. High standards and clear learning objectives;
2. A sense of community;
3. More time for learning;
4. A balanced curriculum;
5. A variety of teaching methods;
6. Rigorous and ongoing assessment;
7. Extra support for students as needed.

It is Aspire’s belief that a culture of “college for certain” should be part of every decision and every interaction with students and adults.

18. I’d love to think I truly understand and lead in what makes Aspire work for its students, parents and staff. But in truth, I feel fortunate to have a good sense of it. All of us on the board are results oriented and committed to a performance culture that tackles and solves every set of challenges in front of us. What hasn’t changed for staff in all of Aspire’s development (and this is a remarkable tribute to staff’s understanding of what’s required for students to achieve educationally) is the focus on the model’s core elements, including coaching and professional development for staff, as new teachers have joined Aspire. Each element of the model has mattered - from culture to the rigor of the cycle of inquiry to the level of support for students to clarity and certainty around where children are going. Aspire’s steady, and now scaling, commitment to systematizing the model’s elements, to standards, assessment, and to competence of educators is critical to supporting children’s academic success.

19. We are agreed the following statements represent the key characteristics of a successful school.

a. The highest performing schools have teachers who take responsibility for student achievement and believe that the school has a well defined plan for instructional improvement.

b. The organizational leaders, the principal and the teachers utilize state standards to guide curriculum and instruction.

c. The school has identified essential and key standards. The principal is a knowledgeable source regarding these key standards.

d. Aspire Public Schools provides constant information to all teachers regarding these standards.

e. Aspire provides constant information to all staff regarding the standards.

f. The school materials are aligned with state standards.

g. The school maps and the state curriculum standards are articulated lesson plans by each staff member.
h. There is a program of frequent and ongoing assessment with the data review regularly with the process of inquiry.

i. Student performance is frequently monitored in order to provide appropriate support both during the day and with after school programs.

j. The school has high expectations and takes responsibilities for every student’s achievement.

k. The school culture and vision is focused on student learning.

l. The school culture and all adults in the school are committed to improving student learning.

m. The organization and the principal communicate a clear vision for the school.

n. The principal and all teachers set high standards for student learning.

o. The school culture is focused on performance and an undying belief that all students can learn and achieve.

p. All the school systems including finance, human resources, time and space are focused on the intellectual personal and social development of all students.

As a member of the Board of Directors, it is my responsibility to monitor fiscal, instructional and organizational systems to assure they are all aligned with the mission and philosophy and stated outcomes of the school. It is also my responsibility to provide guidance and to help develop both monitoring systems and policies that build public trust with students, families and citizens of California.

[Signature]

May 2012
Gregory W. Jones
650-533-4483; Gjones4sf@aol.com

EMPLOYMENT

State Farm General Insurance—President and CEO (1968-2008)
National Assessment Governing Board—Vice Chair (Present)

EDUCATION

BACHELOR OF ARTS, BUSINESS—Franklin University
MASTER OF ARTS—Hood College
MASTER OF ARTS—University of Pennsylvania-Wharton Business School

PROFESSIONAL MEMBERSHIPS

Board of Directors (former)- California State Board of Education
Board of Directors- State Farm General Insurance
Chairman of the Board - Los Angeles Urban League
Board of Directors- California Education for Excellence Foundation
Board of Directors- Operation Hope
Board of Directors- Junior Achievement of Southern California
Board of Directors- California Chamber of Commerce
Board of Directors- NCAA Leadership Advisory Board
Board of Directors- Tiger Woods Learning Center
Board of Directors- Los Angeles Sports Council
Board of Trustees- Franklin University
Board of Trustees, Board of Directors- National Urban League
Founder—100 Black Men of Sonoma County, California (1990)
PROSPECTIVE CHARTER SCHOOL BOARD MEMBER QUESTIONNAIRE

As you are already aware, serving on a public charter school board is a position of great trust and responsibility. As a board member of a public school, you are not only ultimately responsible for the education of all students enrolled in the school but also entrusted with the obligation to see that the public monies which are given to the charter school are legally and wisely spent.

In providing the information requested, prospective board members will assist the Charter Schools Division in determining if the application demonstrates that the school will be run in a financially, organizationally and educationally sound manner.

Yes and No answers will be acceptable however N/A is not on the following questionnaire.

Background

1. Please provide your educational and employment history. Please attach your resume.

2. Please indicate whether you will be at least eighteen years old by January 1 of the year in which the proposed charter school would open.

3. Please indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, to sit on the board.

4. Please explain why you wish to serve on the board.

5. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.

6. Please describe your understanding of the appropriate role of a public charter school board member.

7. Please indicate specifically the knowledge and experience that you would bring to the board.

8. Please provide a forecast of where you see the school in one year and then again in five years.

9. How would you handle a situation in which you believe one or more members of the school’s board are involved in self-dealing (working for their own benefit, or the benefit of their friends and family)?
Conflict of Interest

10. If you, your spouse or other immediate family members knew any of the other prospective board members prior to being invited to sit on the board, please so indicate and describe the relationship with each such other prospective board member.

11. If you, your spouse or other immediate family members know any people already known to be prospective school employees, please so indicate and describe the relationship.

12. If you, your spouse or other immediate family members know anyone that plans to do business with the school, please so indicate and describe the relationship and the nature of the potential business.

13. If the school proposes to partner with an educational service provider (a management company), please indicate if you, your spouse or other immediate family members know any employees, owners, or agents of that provider. If your answer is yes, please indicate the individuals you know and the nature of the relationship.

14. If the school proposes to enter into a contract with an educational service provider, please indicate whether you, your spouse or other immediate family member have a direct or indirect ownership, employment, contractual or management interest in the educational service provider.

15. Please indicate if you, your spouse or other relative (by marriage or blood) anticipate conducting any business with the educational service provider, the school, or both. If so, please describe the potential relationship.

16. Please indicate if you foresee any potential ethical or legal conflicts of interests should you serve on the school’s board. If so, describe such potential conflicts.

Educational Philosophy

17. Please describe your understanding of the school’s mission and/or philosophy.

18. Please indicate your level of familiarity with the educational program that the school proposes to utilize.

19. Please describe what you believe to be the key characteristics of a successful school. What specific steps do you think the board of the school will need to take to ensure that this school is successful?

________________________
Name (please print)

________________________
Signature

________________________
Date

This request for information was developed by the State University of New York Charter Schools Institute.
1. Attached
2. Yes
3. I became aware of Aspire while serving as a member of the California State Board of Education
4. Aspire has been an outstanding example of providing quality education to poor and minority students. I hope to continue my involvement in education in that pursuit.
5. I have been or currently a member of the following: Ca. State Board of Education, Chairman California Business for Education Excellence, Co Chairman Commission on 12th Grade Preparedness, Tiger Woods Foundation, Los Angeles Urban League
6. To provide guidance, expertise and oversight to assure the objectives of the school are being met and the focus on excellence is being maintained.
7. As a former CEO of a major corporation I can bring a business focus on results as well as business principles and their application in education.
8. Aspire is already performing at a high level. My hope is that within a year Aspire will continue to grow and provide an avenue for even more young people to achieve.
9. That would be a violation of the core principles of Aspire and should be brought to the attention of the full board.
10. No
11. No
12. No
13. No
14. No
15. No
16. No
17. Aspires mission is to provide an outstanding educational experience which allows students to achieve at their very best. Providing instruction, resources and culture that prepares its students to be college ready when they graduate.
18. While I have yet to attend a board meeting, through my reading and research I'm becoming more familiar with all of Aspires educational programs.
19. I believe successful schools start with the belief that every child can learn. It then must have school leaders who create a positive, constructive, innovative and motivational culture for learning. They must have teachers who believe in students, are continuously learning themselves and apply the most current and proven teaching methods. Finally, successful schools engage the entire school community to support its efforts, parents, community leaders and staff. Having the highest expectations of students, faculty and parents are the key to success. The board is responsible for helping set those expectations and priorities and holding themselves and all stakeholders accountable.
SUPPORTING DOCUMENT 10
Aspire Public Schools Board Resolution
ASPIRE PUBLIC SCHOOLS

RESOLUTION OF THE BOARD OF DIRECTORS
RE ASPIRE ANTONIO MARIA LUGO ACADEMY
CHARTER RENEWAL PETITION

October 24, 2013

The meeting of the Board of Directors of Aspire Public Schools ("Aspire") was called to order on October 24, 2013. The meeting was held pursuant to notice and a quorum was present for the transaction of business.

WHEREAS, Aspire wants to serve the community of Huntington Park in the Los Angeles Unified School district;

WHEREAS, Elise Darwish is the acting Area Superintendent for Los Angeles;

WHEREAS, Sandra Kim is an experienced Aspire principal;

WHEREAS, Diana Rivera is an experienced Office Manager,

NOW, THEREFORE, BE IT RESOLVED that: The Board of Directors of Aspire Public Schools authorizes Elise Darwish to act as the Lead Petitioner to officially submit the charter renewal petition to Los Angeles Unified School District with Sandra Kim as Principal of Aspire Antonio Maria Lugo Academy and Diana Rivera as the person responsible for handling checks/cash on-site.

1. Emmie Brack hereby certify that I am the current and duly empowered Interim Board Secretary of Aspire Public Schools, that the foregoing Resolution was duly adopted by the Board of Directors at the meeting held on October 24, 2013, at which meeting a quorum was present and acting, that the Resolution is in full force and effect, that the same has not been modified or rescinded, and that it is not contrary to any provisions of the Articles of Incorporation or the Bylaws of Aspire.

Executed this 24th day of October, at Oakland, California.

Emmie Brack
Interim Board Secretary
SUPPORTING DOCUMENT 11

City of Huntington Park Inspection Card
### City of Huntington Park
6850 Miles Avenue
Huntington Park, CA 90255
Office Hours: Monday thru Thursday
Inspection: Monday thru Friday
Inap. Request (323) 834-6273
Office Phone No. (323) 834-6271

**INSPECTION RECORD**
Address: 2506 E. 58TH
Permit No.: 2806/2807 Date: 7/18/13
Description: Renovation To Existing Bldg

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<td>Rough Wiring</td>
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<td>E5</td>
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<td>P4</td>
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<td>Private Sewage Disposal System</td>
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<td>P7</td>
<td>Waste Heater</td>
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<td>P8</td>
<td>Laundry Sprinklers</td>
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<td>P9</td>
<td>Gas Test</td>
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<td>P10</td>
<td>Final Plumbing Inspection</td>
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<td>P11</td>
<td>Drain Valve Replaced</td>
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### MANDATORY REQUIREMENTS
1. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

2. Plans approved by the City of Huntington Park Building Department must be available at the time inspection is made.

3. A separate permit is required for all work located within the public right of way.

4. Special inspections must be approved by the City of Huntington Park prior to doing any inspection work.

5. Revised plans and/or details must be provided for all work not done in accordance with the approved plans. All revisions must be stamped approved prior to inspection.
INSPECTION NOTES:

2-5-13 2nd FLOOR COMM. RM.

8-9-13 ALL WORK COMPLETE.
APPENDIX A

Personalized Learning Plan
## PERSONALIZED LEARNING PLAN

<table>
<thead>
<tr>
<th>Name:</th>
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<th>Date:</th>
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<tr>
<td>Goal</td>
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<td>Support people</td>
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<td>Goal #3:</td>
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APPENDIX B

Aspire Plan to Transition to Common Core Standards
Overview:
Knowing that at the end of the 2014-2015 school year California and Tennessee students will take new assessments based on the CCSS:

2012-2014 – Learning and Planning Year
2013-2014– Build Tools and Pilot Ideas as necessary around:
  - IGs
  - Pacing guides
  - Assessments
  - Text adoption (where appropriate)
2014-2015 – Use the tools

Work Done To Date and Notes on Work to Come:

Pacing Guides
- K-5 ELA Pacing Guides have been drafted and will be piloted in Memphis this coming school year (2013-2014).
- K/1 Teachers in California who are interested can also pilot the draft Pacing Guides.
- 2-5 Teachers in California are advised to remain focused on the CST since that will be the test our students in CA take at the end of next year
- K-5 Math Pacing Guides in a PILOT will follow the Stepping Stones curriculum and guides. See http://www.origoeducation.com/steppingstones
- 6-12 Pacing Guides will be drafted in 2013-2014 once new texts have been adopted (where appropriate).
- Note, while teachers will pilot, we don’t advise purchasing entire school sets of any curriculum until we have run the pilots and vetted the options.

Assessments
- K-5 ELA and Math Common FORMATIVE Assessments will be written over the course of this coming year and piloted in Memphis as they are written.
- Since, in California, all of our students will take the CST in the spring of 2014, teachers will not use these assessments this year. Interested K/1 Teachers may pilot them. (Would like to outsource this – Funding? Who? When?)
- 6-12 Assessments will be drafted in 2013-2014. (Would like to outsource this – Funding? Who? When?)
- All K-12 Summative or “Pre CCSS” tests like our current “Pre CST” tests will be drafted after many more of the release questions and sample assessments are available.

Instructional Guidelines
- We will make any/all revisions to the IGs in 2013-2014.
- We anticipate that the IGs may not need an enormous overhaul but they will need to emphasize some IGs more than others in order to align with the CCSS goals.

2013-2014 Goals:
By June 2014 (for implementation across Aspire in Fall 2014):
- Content Coach Teams have a shared language and deep understanding of CCSS
- Aspire IG’s are aligned w/ CCSS
- Aspire Pacing Guides are aligned w/ CCSS
- Aspire assessments will be aligned w/ CCSS assessments
- Exploration and piloting of texts to adopt. (Unwise to purchase whole school sets of curriculum until after the first CCSS results are back and we can...
- Summer Training for New and Veteran Teachers on CCSS

<table>
<thead>
<tr>
<th>Action Step</th>
<th>Timeline (target date)</th>
<th>Roles (RAPID)</th>
<th>Resources Needed</th>
<th>Specifics of Implementation</th>
<th>Measures of success</th>
</tr>
</thead>
</table>
| Build Coach Capacity...help coaches become and feel like experts on CCSS | • Check-in Jan 2014   | R: CC coaches I: all coaches A: JN/MP D: CC Coaches P: CC Coaches | • Materials, time for PD, PD budget       | • CCSS Leads will work with Coach Directors to use Regional and Common Coach meeting time for coaches to learn about CCSS  
• Run strategic pilots                      | • Coach confidence and ability to lead PD about CCSS  
• Resources readily available and easy to find on the Purple Planet |
|                                            | • Aim for on or before April 2014 coach meeting |                                                   |                                            |                                                                                             |                                                  |
| CCSS Driver at each site                   | • June 2013            | Principals and coaches recommend/nominate       | • CCSS Driver job description  
• Budget                                      | • CCSS Coaches: email Principals w/timeline and selection criteria  
• Make selection criteria                     | • Job description and criteria complete and approved  
• Budget allocated                           |                                                  |
<p>| | | | | | |
|                                            |                        |                                                   |                                            |                                                                                             |                                                  |
|                                            |                        |                                                   |                                            |                                                                                             |                                                  |</p>
<table>
<thead>
<tr>
<th>Action Step</th>
<th>Timeline (target date)</th>
<th>Lead Person(s)</th>
<th>Resources Needed</th>
<th>Specifics of Implementation</th>
<th>Measures of success</th>
</tr>
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</table>
| Revise IG's | Present to July 2013   | All coaches    | *IGs, CCSS       | - Do an initial revision of IG's and map current IGs to CC Shifts as able  
|            |                        |                |                  | - If possible, focus on particular IG's at NTT that are well-aligned w/ the CC  
|            | - July 2013 to April 1, 2014 | R: CC coaches  |                  | Shifts                     | *IG's are better aligned w/ CCSS  
|            |                        | L: all coaches, teachers, principals A: ED D: JN/MP P: all Coaches | *IGs, CCSS | - Complete IG revisions including addition of meta-cognitive reflection  
|            |                        |                |                  | - Have a focus group outside of coach team that would advise the revision process (buy in, not surprised) – maybe meet twice with this advisory panel of leads/principals  
|            |                        |                |                  | - Change name of IG’s to AIM (if agreed by all - collaborative process)  
|            |                        |                |                  | - A brainstorm session for how best to communicate changes to the seasoned teachers/school – CC Driver drives the work  
|            |                        |                |                  | - Communicate revisions to schools  
|            |                        |                |                  | - Create systems to onboard all teachers (via CC Driver)  
|            |                        |                |                  | - ID common IGs across disciplines  
|            |                        |                |                  | - Establish foundational IG’s  
|            |                        |                |                  | - Set up monthly PD times at each site for CC Driver and possibly a coach to present  
|            |                        |                |                  | - Identify what we can learn from our Memphis schools’ early work in K-5  
|            | April 1, 2014 to May 31, 2014 | I: all coaches, teachers, principals A: JN/MP D: CC Coaches P: all Coaches | *New text* | - Deliver new AIM product to K-5 and 6-12 teachers  
|            |                        |                |                  | - Provide sample schedules that show how AIMs can be implemented  
|            |                        |                |                  | - Sites begin implementing plan for on-boarding of new "IG’s"  

<table>
<thead>
<tr>
<th>Action Step</th>
<th>Timeline (target date)</th>
<th>Lead Person(s)</th>
<th>Resources Needed</th>
<th>Specifics of Implementation</th>
<th>Measures of success</th>
</tr>
</thead>
</table>
| Revise Pa Guides** | April 2014-June 2014 | R: CC coaches  | *New text* | *Identify what we can learn from our Memphis schools’ early work in K-5 | *Pacing Guides are better aligned w/ CCSS*  
|            |                        | L: all coaches, |                  |                             |                     |
| Develop the Assessments** | - Draft 1 by June 2014 used in 2014-2015  
- Revise by June 2015 for use in 2015-2016 |
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Action Step</td>
<td>Timeline (target date)</td>
</tr>
</tbody>
</table>
| Aspire-Wide PD on CCSS   | - From 2013 Lead Retreat onward | R: CC coaches  
I: CC Drivers, all coaches, teachers, principals  
A: ED  
D: CIA/CC Coach  
P: CC Drivers, all Coaches | - CCSS |
| Text/Materials Adoption | - Beginning June 2013 and onward | R: CC Coach  
I: Teachers, all coaches, KK  
A: ED  
D: MP/JN  
P: CC Coach | - Text/Material options  
- Adoption Process for each content and elementary/secondary | - Vet curriculum that is aligned w/ Common Core  
- Create and implement adoption process (use 6-12 Math/Science process as a starting point) | - Process established  
- Aligned texts and materials in K-12 Math and K-12 ELA  
- Site-level buy-in  
- Teacher use adopted texts/materials |
| Action Step              | - 2013 Summer Lead Retreat and onward | R: CC coaches  
I: CC Drivers, all coaches, teachers, principals  
A: ED  
D: CIA/CC Coach | | | |
<table>
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<th>LDC/MDC Incubation</th>
<th>P: ED, CC Drivers, all Coaches</th>
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<td>R: CIA</td>
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<td>I: all Coaches A: ED/AF</td>
<td>I: JG</td>
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<tr>
<td>D: CIA</td>
<td>A: ED, principal, AF</td>
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<td>P: all coaches, teachers</td>
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<td>P: CIA, teachers</td>
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<td><strong>Teacher Selection and running the process:</strong></td>
<td><strong>LDC:</strong> create CCSS aligned units of study using the LDC planning modules</td>
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<td>R: CC</td>
<td><strong>Level of rigor of LDC modules after peer jurying</strong></td>
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<td>I: Coaches A: ED</td>
<td><strong>MDC?</strong></td>
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<tr>
<td>I: teachers</td>
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<tr>
<td>Principal s, teachers</td>
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<td>D: Area Supes</td>
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**Pilot Teachers**

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<td>D: ED</td>
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<tr>
<td>P:</td>
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**It will be imperative that the whole coach team participate in developing and co-writing each of these pieces. This means CCSS Leads cannot do the work alone and that coaches cannot take a backseat. It will be a collaborative effort. This might look like an entire K-5 (or 6-12) content team sitting down to look at an IG (or Pacing Guide) and talking thoroughly about how to better align it with CCSS. The CCSS Lead will then take those notes that represent everyone's voice and type them up and send them out for more feedback.**

**Other Questions:**

- What is the role of Area Sups & Principals?
- Who is driving the development of Area Sups & Principals?
- Who, when on communicating ownership structure? Attach to this comment?
Who will write assessments? Outsource? Funding?

RAPID Decision-Making Roles Explanation:

- "R" stands for "recommender"—the person who initiates or drives the process. The "R" is the "go to" person who sticks with the process from start to finish, ensures that others understand what they need to do, and keep things moving along. In other words, the "R" does most of the work to secure the decision.

- "I" stands for "input." An "I" must be consulted before a decision is made. Although an "I" has the right to be heard, he or she does not have a vote or a veto. Including someone as an "I" says that the organization values his or her opinion.

- "A" stands for an individual who needs to "agree with" or "approve" a decision. An "A" is essentially an "I" with more power; an "A" has a vote and a veto. Naming someone an "A" means that the organization needs their support. Generally, the more people with an "A," the more time and effort it takes to make a decision.

- "D" means "decide." The "D" has final authority, and is the only individual who can commit the organization to action—hiring someone, spending money, or making a legally-binding agreement. Things get done only after the "D" gives the okay. Generally, the "D" is one person. But if, for example, a board of directors has a parliamentary voting structure, then the "D" would mean the group of people who constitute the winning vote.

- "P" stands for "perform." This is a person who carries out the decision once it has been made. Often, an individual who is a "P" is also an "I." You've no doubt heard at least one person say something like, "This is a mess. If only they had asked me before they decided. I could have told them . . ." It's unlikely that a "P" who is also an "I" will feel the need to say that.
APPENDIX C

Mapping of ELD Standards
## Map of English Language Development Standards to Aspire Instructional Guidelines

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<tr>
<td>Comprehension</td>
<td>Answer simple questions with one-to-two word responses. Respond to simple directions and questions by using physical actions and other means of nonverbal communication (e.g. matching objects, pointing to an answer, drawing pictures). Begin to speak with a few words or sentences by using a few standard English grammatical forms and sounds (e.g. single words or phrases). Use common social greetings and simple repetitive phrases independently (e.g. Thank you, You’re welcome). Ask and answer questions by using phrases and simple sentences. Retell stories by using appropriate gestures, expressions and illustrative objects.</td>
<td>Shared Reading Discussions Guided Reading Discussions</td>
</tr>
<tr>
<td>Organization and Delivery of Oral Communication</td>
<td>Begin to be understood when speaking, but usage of standard English grammatical forms and sounds (e.g. plurals, simple past tense, pronouns [he or she] may be inconsistent. Orally communicated basic persons; needs and desires (e.g. May I got to the bathroom?)</td>
<td>Guided Reading Shared Reading</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Listening &amp; Speaking Substrand</th>
<th>Standard – Advanced ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehension</td>
<td>Demonstrate understanding of most idiomatic expressions (e.g. Give me a hand) by responding to such expressions and using them appropriately.</td>
<td>Discussion Guided Reading Shared inquiry</td>
</tr>
<tr>
<td>Organization and Delivery of Oral Communication</td>
<td>Negotiate and initiate social conversations by questioning, restating, soliciting information, and paraphrasing the communication of others.</td>
<td>Discussion Guided Reading Literature Circles Read aloud / DRTA Shared inquiry</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reading</th>
<th>Standard – Beginning ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phonemic Awareness and Decoding and Word Recognition</td>
<td>Recognize and produce the English phonemes that are like the phonemes students hear and produce in their primary language. Recognize and produce English phonemes that are unlike the phonemes students hear and produce in their primary language.</td>
<td>Mini-lesson Word work</td>
</tr>
<tr>
<td>Phonemic Awareness, Decoding and Word Recognition, Concepts About Print</td>
<td>Produce most English phonemes while beginning to read aloud</td>
<td>Read aloud Shared Reading</td>
</tr>
<tr>
<td>Vocabulary and Concept Development</td>
<td>Produce simple vocabulary (e.g., single words or very short phrases) to communicate basic needs in social and academic settings (e.g., location, greetings, classroom objects). Demonstrate comprehension of simple vocabulary with an appropriate action. Retell stories by using simple words, phrases and sentences. Recognize simple affixes (e.g., educate, education), prefixes (e.g. dislike, preheat), synonyms (e.g., big, large), and antonyms (e.g., hot, cold). Begin to use knowledge of simple affixes, prefixes, synonyms, and antonyms to interpret the meaning of unknown words.</td>
<td>Mini-lessons Word work Literacy centers Shared reading Guided reading Word Work Literacy centers Read aloud Guided Reading</td>
</tr>
<tr>
<td>Reading</td>
<td>Standard – Intermediate ELD Level</td>
<td>Strategies</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Phonemic Awareness and Decoding and Word Recognition</td>
<td>Produce English phonemes while reading aloud. Recognize sound/symbol relationships and basic word formation rules in written text (e.g., basic syllabication rules and phonics). Apply knowledge of English phonemes in oral and silent reading to derive meaning from literature and texts in content areas.</td>
<td>Mini-lesson Word Work Read aloud Guided reading Independent reading</td>
</tr>
<tr>
<td>Vocabulary and Concept Development</td>
<td>Use more complex vocabulary and sentences to communicate needs and express ideas in a wider variety of social and academic settings. Recognize simple antonyms and synonyms (e.g. good, bad, blend, mix) in written text. Expand recognition of them and begin to use appropriately. Apply knowledge of vocabulary to discussions related to reading tasks. Read simple vocabulary, phrases, and sentences independently. Read narrative and expository texts aloud with the correct pacing, intonation and expression. Use expanded vocabulary and descriptive words in oral and written responses to written texts. Recognize and understand simple idioms, analogies, and figures of speech in written text. Recognize that some words have multiple meanings and apply this knowledge to written text. Recognize the function of connectors in written text (e.g., first, then, after that, finally).</td>
<td>Mini-lesson Read aloud Independent reading Word work Guided reading D.O.L. Literature circles</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reading</th>
<th>Standard – Advanced ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phonemic Awareness and Decoding and Word Recognition</td>
<td>Apply knowledge of sound/symbol relationships and basic word formation rules to derive meaning from written text (e.g., basic syllabication rules, regular and irregular plurals, and basic phonics).</td>
<td>Word work Guided reading Mini-lesson centers Independent reading</td>
</tr>
<tr>
<td>Vocabulary and Concept Development</td>
<td>Apply knowledge of academic and social vocabulary while reading independently. Be able to use a standard dictionary to find the meanings of unfamiliar words. Interpret the meaning of unknown words by using knowledge gained from previously read text. Understand idioms, analogies, and metaphors in conversation and written text.</td>
<td>Word work Mini-lesson Independent reading</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reading Comprehension</th>
<th>Standard – Beginning ELD Level</th>
<th>Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehension and Analysis of Grade-Level Appropriate Text</td>
<td>Respond orally to stories read aloud and use physical actions and other means of nonverbal communication (e.g., matching objects, pointing to an answer, drawing pictures). Responds orally to stories read aloud, giving one-to-two word responses to factual comprehension questions (who, what, when, where and how). Understand and follow simple one-step directions for classroom related activities.</td>
<td>Read aloud/DRTA Discussion Shared reading Guided reading</td>
</tr>
<tr>
<td>Structural Features of Informational Materials</td>
<td>Identify the basic sequence of events in stories read aloud, using important words or visual representations, such as pictures and story frames.</td>
<td>Guided Reading Read aloud Minilessons</td>
</tr>
<tr>
<td>Component</td>
<td>Description</td>
<td>Level</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td><strong>Reading Comprehension</strong></td>
<td>Respond orally to stories read aloud, using phrases or simple sentences to answer factual comprehension questions.</td>
<td>Standard – Intermediate ELD Level</td>
</tr>
<tr>
<td>Comprehension and Analysis of Grade-Level Appropriate Text</td>
<td>Understand and follow simple written directions for classroom-related activities. Read text and orally identify the main ideas and draw inferences about the text by using detailed sentences. Read and identify basic text features, such as the title, table of contents, and chapter headings. Respond to comprehension questions about text by using detailed sentences (e.g., the brown bear lives with his family in the forest).</td>
<td>Standard – Advanced ELD Level</td>
</tr>
<tr>
<td>Structural Features of Information Features</td>
<td>Identify, using key words or phrases, the basic sequence of events in stories read.</td>
<td></td>
</tr>
<tr>
<td><strong>Writing</strong></td>
<td>Write a brief summary (two or three paragraphs) of a story.</td>
<td>Standard – Beginning ELD Level</td>
</tr>
<tr>
<td>Penmanship</td>
<td>Copy the alphabet legibly. Copy words posted and commonly used in the classroom (e.g., labels, number names, days of the week).</td>
<td></td>
</tr>
<tr>
<td>Organization and Focus</td>
<td>Write simple sentences by using key words commonly used in the classroom (e.g., labels, number names, days of the week, and months). Write phrases and simple sentences that follow English symmetrical order.</td>
<td></td>
</tr>
<tr>
<td><strong>Writing</strong></td>
<td>Follow a model given by the teacher to independently write a short paragraph of at least four sentences.</td>
<td>Standard – Intermediate ELD Level</td>
</tr>
<tr>
<td>Organization and Focus</td>
<td>Write legible, simple sentences that respond to topics in language arts and other content areas (e.g., math, science, history-social science).</td>
<td></td>
</tr>
<tr>
<td>Organization, Focus and Penmanship</td>
<td>Create cohesive paragraphs that develop a central idea and consistently use standard English grammatical forms even though some rules may not be followed. Write simple sentences about an event or a character from a written text. Produce independent writing that is understood when read but may include inconsistent use of standard grammatical forms.</td>
<td></td>
</tr>
<tr>
<td><strong>Writing</strong></td>
<td>Develop a clear thesis and support it by using analogies, quotations, paraphrasing, and other supporting details.</td>
<td>Standard – Advanced ELD Level</td>
</tr>
<tr>
<td>Organization and Focus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Focus</td>
<td>Task Description</td>
<td>Instructional Strategies</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Focus</td>
<td>and facts appropriately. Write a multiparagraph essay with consistent use of standard grammatical forms.</td>
<td>Independent writing Mini-lessons</td>
</tr>
<tr>
<td>Capitalization</td>
<td>Use capitalization when writing one's own name. Use capitalization at the beginning of a sentence and for proper nouns.</td>
<td>DOL Spelling paragraph Independent writing</td>
</tr>
<tr>
<td>Punctuation</td>
<td>Use period at the end of a sentence and a question mark at the end of a question.</td>
<td>DOL Spelling paragraph Independent writing</td>
</tr>
<tr>
<td>Capitalization, Punctuation and Spelling</td>
<td>Produce independent writing that includes partial consistency in the use of capitalization and periods and correct spelling. Produce independent writing with consistent use of capitalization, punctuation, and correct spelling.</td>
<td>Word work DOL Spelling paragraph Independent writing</td>
</tr>
</tbody>
</table>
APPENDIX D
Aspire Public Schools 504 Procedures
Part I: Quick and Basic 504 Process Procedures

Pre-Meeting Process Steps (Before any meeting takes place)

1) Referral comes in from SST/RtI/Parent OR annual 504 is due
2) Parent Information and Permission forms sent home and returned (within 10 school days of receiving referral)
3) Data gathered on disability and impact on educational access
4) Meeting Scheduled (within 30 days of permission received back from parents)
5) Parent Invite Sent and Returned (Invite sent at least 14 days prior to meeting)

504 Eligibility Determination Meeting Process Steps (done at least each 3yr)

1) Necessary identifying information filled out on student and team
2) Purpose of the meeting discussed: initial, review (at least every 3 years) or dismissal
3) Due Process rights given, discussed if necessary and signed for by parent
4) Review of data/evidence of disability
5) Review of data/evidence of impact of disability on a major life function
6) Eligibility decision: do they qualify for a 504? Yes or no.
7) Parent agreement or disagreement (refer to Director of Student Services)
8) Signatures and documentation, next 504 scheduled
9) Accommodation plan created (checklist for this in next section)
10) Record student’s 504 status in PowerSchool (see “Logging 504s in PowerSchool OM Guide”)

504 Accommodation Plan Process Steps (done at least annually)

1) Necessary identifying information filled out on student and team
2) Purpose of plan checked (initial or review)
3) Due Process rights given, discussed if necessary and signed for by parent
4) Data/Information Reviewed
5) Write the plan
6) Parent agreement or disagreement (refer to Director of Student Services)
7) Signatures and documentation
8) Plan implementation, progress monitoring and review scheduled

Discipline Steps for Students with 504s

1) Student with 504 referred for discipline
2) Determine if Manifestation Determination documentation necessary
3) Determine if behavior part of/because of the student’s qualifying disability
4) Review 504 Plan for student
5) Gather data on repeat behaviors
6) Determine if behavior is result of 504 not being correctly implemented
7) If discipline is related to disability/poor 504 implementation, address concerns with 504 meeting/plan
8) If discipline not related to disability, document steps and continue with normal school procedures

Need more information on any of these steps? Check out the other process and procedure guides!
Section 504 Process and Procedure Guide: Introduction

Let's be honest, 504s can be complicated, confusing and often anxiety producing. The goal of this guide is to give step by step directions for the 504 process to alleviate these things on a basic level. The 504 decision process will still be a difficult one as each student's needs will be different, but 504 compliance is directly related to how well a school follows proper procedures during the 504 process.

What this guide will not do, what no guide can do, is tell you exactly when a child will qualify for a 504 or what accommodations to give to a child based on their particular disability. Each child is different and his or her disability may affect them differently. For example, two girls with ADHD in second grade may have drastically different needs. One may be able to access her education with basic classroom accommodations, the other may require more significant accommodations and a 504 plan.

The final decision around what 504 protections may be required rests on your 504 team and their experience as educators, which is one of the strengths you bring to this process.

Please see the next page for the sections of this guide, but as always, if you have a particular concern, complicated 504s, questions about your SST process or anything else, please contact the Aspire Director of Student Services and we will be happy to help!

Part I: Basic 504 Process Procedures

The basic steps in the 504 process for those of you who feel confident in your ability to administer 504s

Part II: Detailed 504 Process Procedures

504 process steps broken down into their detailed components for new 504 administrators or those who are in need of a 504 refresher.

The process is color-coded according to the following scheme.

Pages 1-3, 7 Pre - 504 Meeting Process Steps

Pages 4-6 504 Eligibility Determination Meeting Process Steps

Pages 8-10 504 Accommodation Plan Process Steps
Part I: Quick and Basic 504 Process Procedures

Pre-Meeting Process Steps (Before any meeting takes place)

1) Referral comes in from SST/RtI/Parent OR annual 504 is due
2) Parent Information and Permission forms sent home and returned (within 10 school days of receiving referral)
3) Data gathered on disability and impact on educational access
4) Meeting Scheduled (within 30 days of permission received back from parents)
5) Parent Invite Sent and Returned (Invite sent at least 14 days prior to meeting)

504 Eligibility Determination Meeting Process Steps (done at least each 3yr)

1) Necessary identifying information filled out on student and team
2) Purpose of the meeting discussed: initial, review (at least every 3 years) or dismissal
3) Due Process rights given, discussed if necessary and signed for by parent
4) Review of data/evidence of disability
5) Review of data/evidence of impact of disability on a major life function
6) Eligibility decision: do they qualify for a 504? Yes or no.
7) Parent agreement or disagreement (refer to Director of Student Services)
8) Signatures and documentation, next 504 scheduled
9) Accommodation plan created (checklist for this in next section)
10) Record student’s 504 status in PowerSchool (see “Logging 504s in PowerSchool OM Guide”)

504 Accommodation Plan Process Steps (done at least annually)

1) Necessary identifying information filled out on student and team
2) Purpose of plan checked (initial or review)
3) Due Process rights given, discussed if necessary and signed for by parent
4) Data/Information Reviewed
5) Write the plan
6) Parent agreement or disagreement (refer to Director of Student Services)
7) Signatures and documentation
8) Plan implementation, progress monitoring and review scheduled

Discipline Steps for Students with 504s

1) Student with 504 referred for discipline
2) Determine if Manifestation Determination documentation necessary
3) Determine if behavior part of/because of the student’s qualifying disability
4) Review 504 Plan for student
5) Gather data on repeat behaviors
6) Determine if behavior is result of 504 not being correctly implemented
7) If discipline is related to disability/poor 504 implementation, address concerns with 504 meeting/plan
8) If discipline not related to disability, document steps and continue with normal school procedures

Need more information on any of these steps? Check out the other process and procedure guides!
Part II: Detailed 504 Process Procedures

Pre - 504 Meeting Process Steps

There are actually steps before you jump into a 504 meeting for a student. The Pre-Meeting Process steps are typically related to referrals and permissions and are vital to the 504 documentation process.

Step 1: 504 Referral

Why is the 504 process being started for this student?

- The school’s SST/RtI process has identified this student as having a disability that may require 504 accommodations
- The student’s parent or guardian has requested a 504 evaluation for their child to determine eligibility for 504 protections
- The student has a 504 plan from a previous school
- The student has a 504 plan from our school that needs review/updating

The team making the referral must fill out the following form and give it to the Principal or 504 Designee for their site:

Form_1b_504_Referral
Form_2c_504_General_Information

Based on their current 504 documentation, should the student’s next meeting be a full 504 evaluation or a simple review/update?

- Full 504 Evaluation (typically every 3 yrs)
- Simple 504 review

Please go to page 7 of this guide for more information on next steps.

Please go to Step 2 on the next page for more information on next steps.
Part II: Detailed 504 Process Procedures

Step 2: Determine Evaluation Evidence Needed

Once the 504 designee receives the referral for new 504s/notice of an existing 504 evaluation, he/she must determine what types of evaluative materials are needed for the 504 team to effectively determine eligibility.

- Transcripts/Grades/Test Scores
- Attendance
- Classroom observations
- Teacher Reports
- Educational reports
- Non-classroom observations (cafeteria, playground, etc.)
- Discipline data
- Observations or other data on disability specific issues (e.g., needs of blind student accessing for written test)
- Information from outside professionals familiar with student (must have signed Authorization from parent)

Step 3: Parent Permission for Evaluation

The 504 designee has 10 school days from time of referral/notice to send the following to the parents to get permission for specific evaluation evidence and speak to outside professionals. Documents should be in parents’ primary language:

- Form_2a_504_Parent_Permission
- Form_2c_504_General_Information
- Form_2d_504_Release_of_Information

Parent/Guardian returns forms with permission to evaluate

Parent/Guardian returns forms, but does not give permission to evaluate

Parent/Guardian does not return forms

Step 4: Meeting Scheduling and Parent Invitation

Once the parent returns the form to the school, schedule the 504 Team to meet for a 504 Eligibility Determination.

Meeting should be scheduled for within 30 school days of receiving permission to evaluate.

Send an invite to the parent/guardian using the following form:

- Form_4_504_Parent_Invite

Evaluation for a 504 Plan and protections cannot occur without parental consent.

Send the following form to the parents:

- Form_2e_504_Parent_Permission_Refusal

Continue to support the child using regular school-based accommodations.

Place copies of all documents in 504 evaluation folder for the student.

Evaluation for a 504 Plan and protections cannot occur without parental consent.

Document attempts to contact parents.

At 30 days, send the following to the parents:

- Form_2e_504_Parent_Permission_Refusal

Continue to support the child using regular school-based accommodations.

Place copies of all documents in 504 evaluation folder for the student.

Continue to page 3 for next steps.
Part II: Detailed 504 Process Procedures

Step 5: Gather Data on Disability and Impact on Educational Access

Between time permission to evaluate is given by parent and before the 504 meeting, members of the 504 team should gather pertinent data about the child’s educational access. Examples of data include, but are not limited to:

- Transcripts/Grades/Test Scores
- Attendance
- Classroom observations
- Teacher Reports
- Non-classroom observations (cafeteria, play-yard, etc.)
- Discipline data
- Educational reports
- Observations or other data on disability specific issues (ex: needs of blind student accessing for written text)
- Information from outside professionals familiar with student (must have signed Authorization from parent)

Step 6: Final Scheduling the Meeting

Parent/Guardian returns the invitation and can attend the meeting

The 504 Eligibility Meeting is held as scheduled.

Parent/Guardian returns the invitation and cannot attend the meeting

Parent/Guardian attendance is not required to continue the 504 process. If feasible, schools can and should reschedule to include parents.

The 504 Eligibility Meeting is held as scheduled.

Parent/Guardian does not return invitation

Parent/Guardian attendance is not required to continue the 504 process.

Contact parents and document communication.

The 504 Eligibility Meeting is held as scheduled.

Go to Page 4 for 504 Eligibility Determination Meeting Process
Part II: Detailed 504 Process Procedures

504 Eligibility Determination Meeting Process Steps

The Basics of 504 Eligibility Determinations:

The 504 Team meets and uses Form_5a_504_Eligibility_Determination to determine whether or not there is **documented evidence** of the following:

1) The student has a **diagnosed disability**

AND

2) This disability **directly and substantially** affects the students ability to **access** school activities or curriculum

If you have questions about the basics of 504 eligibility, please contact the Director of Student Services! You are not alone 😊

For all 504 Eligibility Determinations, the following form should be used:

**Form_5a_504_Eligibility_Determination_form**

Step 1: Fill Out Necessary Identifying Information

Fill out student information, 504 Team members in attendance (including parents, students, non-Aspire staff)

Step 2: Check correct box for the purpose of the meeting

- **Initial Evaluation**
  The student has never had a 504 or was exited from a previous 504.

- **Review Evaluation**
  The student has a 504, but is being evaluated to see if they still qualify. This should be done at least every 3 years.

- **Removal/Dismissal Evaluation**
  It is believed the student may no longer qualify for a 504.

Step 3: Due Process Rights

Give Parents a Copy of their Due Process Rights

This form prints out at the end of Form_5a_504_Eligibility document, but you may also print it out separately as **Form_2b_504_Due_Process_Rights**

Have parents sign on the appropriate line of Form_5a_504_Eligibility_Determination that they have received their Due Process Rights

Continue to page 5
Part II: Detailed 504 Process Procedures

Step 4: Review the Evidence of Disability

- Evidence does not support presence of disability
  - Student is not eligible for a current 504
    - Fill out “Part I: Determination of Impairment” on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation
    - Skip to Eligibility Step 6

- Evidence supports presence of disability in the past, but not currently
  - Note: Does not include disabilities that are current, but episodic, such as epilepsy
  - Student may be eligible for a 504
    - Fill out “Part I: Determination of Impairment” on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation

Step 5: Review Evidence of Impact of Disability on a Major Life Function

In reviewing the evidence, the 504 team must determine whether or not the evidence shows that the disability substantially affects a major life function compared to that of the average student in the general population.

- Evidence shows disability does not substantially affect a major life function
  - Student is not eligible for a current 504
    - Fill out “Part II: Determination of Impact to Major Life Function” on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation

- Evidence shows disability substantially affects a major life function
  - Student may be eligible for a 504
    - Fill out “Part II: Determination of Impact to Major Life Function” on Form_5a_504_Eligibility
    - Attach copies of evidence to 504 documentation
Part II: Detailed 504 Process Procedures

Step 6: 504 Eligibility Decision

The 504 Team determines that the student meets both eligibility criteria and therefore is eligible for 504 protections and a 504 plan. **Check the appropriate box.**

- Parents agree with the 504 Team’s decision
- Parents disagree with the 504 Team’s decision

The 504 Team determines that the student does not meet both eligibility criteria and therefore is not eligible for 504 protections and a 504 plan. **Check the appropriate box.**

- Parents agree with the 504 Team’s decision
- Parents disagree with the 504 Team’s decision

Continue to accommodate for student utilizing normal school-based accommodations

Refer the parent to the Director of Student Services immediately

Contact the Director of Student Services after the meeting to discuss and pass on copies of documentation

Step 7: Signatures and Documentation

- Dates for future review are determined
- All parties sign the 504 document.
- Copies of all 504 documentation is kept on file for the student in both the student’s cumulative file and a separate 504 file.

Parents refuse to sign 504 Evaluation document. State this in the comments section of the Evaluation document. Place copies of all 504 documentation in student’s cum file and separate 504 file. Refer parents to the Direct of Student Services

Continue to page 8 for 504 Accommodation Plan if student qualifies for a 504
Part II: Detailed 504 Process Procedures

504 Accommodation Plan Review Process Steps

For students who need their 504 plan reviewed, but do not require a full 504 evaluation update, the following steps should be taken to review the 504 plan and determine changes.

Pre-504 Meeting Step 2: Meeting Scheduling and Parent Invitation

1) The 504 team schedules a 504 Plan Review.
2) Send an invite to the parent/guardian using the following form:
   Form_4_504_Parent_Invite

Pre-504 Meeting Step 3: Gather Data on Accommodation Implementation and Successes/Concerns

Members of the 504 teams should gather pertinent data about the current 504 accommodations written into the student’s plan and the success of those accommodations. Examples of data include, but are not limited to:

- Transcripts/Grades/Test Scores
- Attendance
- Classroom observations
- Teacher Reports
- Non-classroom observations (cafeteria, play-yard, etc.)
- Discipline data
- Educational reports
- Observations or other data on disability specific issues (e.g., needs of blind, student accessing for written text)

Pre-504 Meeting Step 6: Final Scheduling the Meeting

Parent/Guardian returns the invitation and can attend the meeting

The 504 Plan Review Meeting is held as scheduled.

Parent/Guardian returns the invitation and cannot attend the meeting

Parent/Guardian attendance is not required to continue the 504 process. If feasible, schools can and should reschedule to include parents.

The 504 Plan Review Meeting is held as scheduled.

Parent/Guardian does not return invitation

Parent/Guardian attendance is not required to continue the 504 process.

Contact parents and document communication.

The 504 Plan Review Meeting is held as scheduled.

Go to Page 8 for 504 Accommodation Plan Process Steps
504 Accommodation Plan Process Steps

The Basics of 504 Accommodation Plans:

1) Accommodations should be specific to the identified student and his/her disability(ies)
2) Accommodation plans should be written for each separate disability (for students with multiple disabilities)
3) Accommodations must alleviate barriers to student access of education
4) Accommodations are not required to address specific academic achievement

If you have questions about the basics of 504 accommodations, please contact the Director of Student Services! You are not alone 😊

For all 504 Accommodation Plans, the following form should be used:

Form_5b_504_Plan

Step 1: Fill Out Necessary Identifying Information

Fill out student information, 504 Team members in attendance (including parents, students, non-Aspire staff)

Step 2: Check correct box for the purpose of the meeting

- Initial Plan
  The student was just found eligible for a 504 and needs an accommodation plan created

- Review Plan
  The student has a plan, but the plan needs to be reviewed (Should occur at least 1x per year)

Step 3: Due Process Rights

Give Parents a Copy of their Due Process Rights

This form prints out at the end of Form_5b_504_Plan document, but you may also print it out separately as Form_2b_504_Due_Process_Rights

Have parents sign on the appropriate line of Form_5b_504_Plan that they have received their Due Process Rights

Continue to page 9
Step 4: Data/Information Reviewed

The 504 team reviews data/evidence for each proposed/current accommodation and determines what accommodations are necessary to help ameliorate the student's disability's affect on his/her access to education. Accommodations must be grounded in data in order to ensure proper progress monitoring.

Step 5: Writing the Plan

The Basics of 504 Accommodation Plans:

1) Accommodations should be specific to the identified student and his/her disability(ies) and based on data

2) Accommodation plans should be written for each separate disability (for students with multiple disabilities)

3) Accommodations must alleviate barriers to student access of education

4) Accommodations are not required to address specific academic achievement

The 504 team writes an accommodation plan based on recommendations from the team and available and pertinent evidence from other sources.

Parents agree with the 504 accommodation plan as written

Parents disagree with the 504 accommodation plan as written

Continue to accommodate for student utilizing normal school-based accommodations

Refer the parent to the Director of Student Services immediately

Contact the Director of Student Services after the meeting to discuss and pass on copies of documentation

Step 5: Signatures

All parties sign the 504 document. Copies of all 504 documentation is kept on file for the student in both the student's cumulative file and a separate 504 file.

Parents refuse to sign 504 accommodation plan. State this in the comments section of the Evaluation document. Place copies of all 504 documentation in student’s cum file and separate 504 file. Refer parents to the Director of Student Services.

Continue to page 10
Part II: Detailed 504 Process Procedures

Step 6: Plan Implementation

Once the plan has been written and signed by the team, it needs to be implemented as written. The steps for implementation include:

1) Holding a team meeting to inform all necessary staff of their role in implementation and giving them a copy of the 504 accommodation plan only

2) Training staff on necessary accommodations that require it (ex: how to use an epi-pen or necessary procedures if a student has a seizure)

3) Provide teachers and staff with necessary resources to create/maintain accommodations (ex: if teacher needs to wear an FM transmitter for a student with limited hearing, providing the equipment to the teacher).

Step 7: Progress Monitoring/Review

Part of the accommodation plan is also the progress monitoring/review of the plan AND its implementation. Scheduled reviews should be written into the 504 plan.

When the deadline for progress monitoring/review is coming up, go to page 1 of this guide:

Pre-504 Meeting Step 1: 504 Referral

Pick the following choice

The student has a 504 plan from our school that needs review/updating
APPENDIX E
SELPA Letter
June 4, 2010

ASPIRE Public Schools
James Wilcox, CEO
1001 22nd Avenue, Suite 100
Oakland, CA 94606

Dear Mr. Wilcox:

It is my pleasure to inform you that the ASPIRE Antonio Maria Lugo Academy has been officially admitted as a member of the El Dorado County Charter SELPA, effective July 1, 2010.

The California Department of Education, Special Education Division has approved the ASPIRE Antonio Maria Lugo Academy to participate as an LEA member in the El Dorado County Charter SELPA. I have enclosed a copy of the May 27th, 2010 letter from Mary Hudler, Director of the Special Education Division, for your records.

We look forward to working with you and your school next year.

Sincerely,

Emi Johnson
SELPA Director

cc: Vicki L. Barber, Ed.D., County Superintendent, EDCOE
    Terena Mendonca, Deputy Superintendent, Administrative Services, EDCOE
    Francie Heim, Liaison Consultant, EDCOE
    Lisa Donaldson, Accountant, EDCOE
APPENDIX F

Proof of Tax-exempt Status
Internal Revenue Service

Date: January 24, 2006

ASPIRE PUBLIC SCHOOLS
% MICHAEL BARR
426 17TH ST # 200
OAKLAND CA 94612-2820

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Ms. Lumpkins # 31-08344
Customer Service Representative

Toll Free Telephone Number:
877-829-5500

Federal Identification Number:
94-3311088

Dear Sir:

This is in response to your request of January 24, 2006, regarding your organization's tax-exempt status.

In December 1999 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a school under sections 509(a)(1) and 170(b)(1)(A)(ii) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,

Janna K. Skufca, Director, TE/GE
Customer Account Services
APPENDIX G
Aspire Public Schools Org Chart
2013 Organizational Chart

James Wilcox
Chief Executive Officer

Shireen Burns
Executive Assistant

Allison Leslie
Executive Director
Memphis

Elise Darwish
Chief Academic Officer

Heather Kirkpatrick
Chief People Officer

Vraj Patel
Chief Financial Officer

Chris Padula Vice
President of
Advancement

Emmille Breck
Vice President of Operations
2013 Organizational Chart

Chris Padula
Vice President of Advancement

Catherine Foster
Communications & Development Manager

Yvonne Parker
Institutional Giving Manager

David Messapeker
Advancement & Donor Services Analyst
2013 Organizational Chart

Emmile Brack
Vice President of Operations

Heather Berkley
Director of Solution Delivery

- Chian Gong
  Business Analyst

- Natalia Lopez-Montano
  Operations Analyst

- Nii Sai Sai
  Project Manager

- Magha Tanwar
  Project Manager

David Roth
Director of Technology Solution

- Jason Baek
  Database Architect

- Anita Ewing
  Sr. Data Specialist

- Jana Chao
  HRIS Systems Admin

- Daniel Hess
  Systems Analyst

Mala Batra
Director of Growth & Strategy

- Angela Andrews
  Facilities Manager

- Rachel Colby
  Operations Coordinator

- Michelle Florindo
  Operations Manager

- Emily Goldwaser
  Receptionist

- Casey Hoffman
  Operations Analyst

Jonathon Stewart
Data Visualization Analyst

Cathleen Li
Data Visualization Analyst
2013 Organizational Chart

Allison Leslie
Executive Director
Memphis

Megan McGrail
Principal

Nickalous Manning
Principal

Sydney Ahearn
Director of Early Learning

Kahlmus Eatman
Regional Director of Operations

Saree Mading
Recruitment Manager

Jo Cunningham
Special Projects Manager
APPENDIX H

Discrimination and Harassment Policy
Discrimination/Harassment Policy

Aspire Public Schools ("Aspire") shall not discriminate on the basis of the characteristics listed in Education Code 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). Aspire’s programs and activities shall be free from discrimination including harassment with respect to ethnic group, religion, gender, sexual orientation, color, race, national origin and physical or mental disability.

The Board of Directors (the "Board") shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral and cheerleading groups shall be determined solely on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Aspire schools may provide girls and boys with separate shower rooms and sex education classes in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in Aspire. Staff shall be alert and immediately responsive to student conduct that may interfere with another student’s ability to participate in or benefit from school services, activities or privileges.

Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed or discriminated against should immediately contact the principal or designee. The student and/or parent may file a complaint verbally or in writing under Aspire’s “Discrimination/Harassment Complaint Procedure.” Upon receipt of a harassment complaint the Chief Executive Officer or designee will be notified. Complaints of harassment will be investigated immediately according to the procedures set forth in Aspire’s “Discrimination/Harassment Complaint Procedure.”

Aspire’s “Discrimination/Harassment Policy” and the “Discrimination/Harassment Complaint Procedure” will be reviewed with students at the beginning of each school year, either in the classroom or in student assemblies.

At the start of each school year, this policy will be included in each Annual Notification and will be made available at each school site.
Discrimination/Harassment Complaint Procedure

Any parent or student who believes that the student has been subjected to discrimination (including harassment) based on race, color, national origin, religion, gender, sexual orientation, or physical or mental disability, in any Aspire Public Schools’ (“Aspire”) program or activity may file a complaint under this procedure.

Aspire prohibits retaliation in any form for the filing of a complaint, the reporting or instances of discrimination, or for participation in complaint procedures.

Aspire acknowledges and respects students’ and employees’ rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant shall be kept confidential as appropriate.

The Chief Executive Officer shall ensure that employees designated to receive and investigate complaints are knowledgeable about applicable laws and regulations. Such employee may have access to legal counsel as determined by the Chief Executive Officer or designee.

How to File a Complaint

Aspire schools are committed to providing a safe learning environment for all students. Any student who believes that he/she has been subjected to discrimination, or harassment (including bullying, intimidation, or retaliation) based on race, color, national origin, religion, gender, sexual orientation, or physical or mental disability in any Aspire program or activity should immediately contact the school principal to file a complaint. Any parent can contact the school principal to file a discrimination/harassment complaint on behalf of their child. The following steps will be taken when a complaint is filed:

Procedures

1. The principal or designee shall promptly investigate all complaints of discrimination or harassment in a confidential, and respectful manner. In doing so, he/she shall talk individually with:
   - The student who is complaining
   - The person accused
   - Anyone who saw the incident or conduct take place
   - Anyone mentioned as having related information

2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence, and put his/her complaint in writing.

3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:
   - The Chief Executive Officer or designee
   - The parent/guardian of the student who complained
   - The parent/guardian of the person accused of the discrimination or harassing conduct
   - The school resource officer(s)
4. When the parent or student who complained and the person accused so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.

5. In reaching a decision about the complaint, the principal or designee may take into account:
   - Statements made by the persons identified above
   - The details and consistency of each person’s account
   - Evidence of how the complaining student reacted to the incident
   - Evidence of past instances of discrimination or harassment by the accused person
   - Evidence of past complaints

6. If the principal or designee determines that discrimination/harassment has taken place, he/she will take immediate action to protect the safety of the student who has been discriminated against or harassed. To judge the severity of harassment, the principal may take into consideration:
   - How the misconduct affected one or more students’ education
   - The type, frequency, and duration of the misconduct
   - The number of persons involved
   - The age and sex of the person accused of harassment
   - The subject(s) of harassment
   - The place and situation where the incident occurred
   - Other incidents at the school, including incidents of discrimination/harassment

7. If the principal or designee determines that discrimination/harassment has taken place, he/she will take every step necessary (during and/or following the investigation, as appropriate) to prevent further discrimination/harassment. For example, a review of policy with students and staff and/or letter(s) to parents may be among the steps taken.

8. Within 10 days of receiving the complaint, the principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused. If he/she verifies that discrimination/harassment occurred, this report shall describe the actions he/she took to end the harassment, address the effects of the discrimination or harassment on the person who was subject to it, and prevent retaliation or further discrimination or harassment.

9. The principal or designee shall give the Chief Executive Officer or designee a written report of the complaint and investigation. Within two weeks after issuing his/her findings, the principal or designee shall determine whether or not the student who complained has been further harassed or discriminated against. The principal or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.
APPENDIX I

Educator Evaluation Tools
## Domain 1: Data-Driven Planning and Assessment

<table>
<thead>
<tr>
<th>Standards</th>
<th>Indicators</th>
</tr>
</thead>
</table>
| 1.1 Establish standards-based learning objectives for instructional plans | A) Selection of learning objectives  
B) Measurability of learning objectives through summative assessments |
| 1.2 Organize instructional plans to promote standards-based, cognitively engaging learning for students | A) Designing and sequencing of learning experiences  
B) Creating cognitively engaging learning experiences for students |
| 1.3 Use student data to guide planning | A) Lesson design guided by data |
| 1.4 Use knowledge of subject matter content/skills and learning processes to plan for student learning | A) Knowledge of subject matter to identify pre-requisite knowledge & skills  
B) Addresses common content misconceptions |
| 1.5 Design assessments to ensure student mastery. | A) Selection and progression of formative assessments  
B) Planned response to formative assessment data |

## Domain 2: Classroom Learning Environment

| 2.1 Create a classroom/community culture of learning | A) Value of effort and challenge |
| 2.2 Manage student behavior through clear expectations and a balance of positive reinforcement, feedback, and redirection | A) Behavioral expectations  
B) Response to behavior |
| 2.3 Establish a culture of respect and rapport which supports students’ emotional safety | A) Interactions between teacher and students  
B) Student interactions with each other |
| 2.4 Use smooth and efficient transitions, routines, and procedures to maintain instructional momentum | A) Routines, procedures, and transitions |

## Domain 3: Instruction

| 3.1 Communicate learning objectives to students | A) Communication of the learning objectives of the lesson  
B) Connections to prior and future learning experiences  
C) Criteria for success |
| 3.2 Facilitates Instructional Cycle | A) Executes lesson cycle  
B) Cognitive level of student learning experience |
| 3.3 Implementation of instructional strategies | A) Questioning  
B) Academic discourse  
C) Group structures  
D) Resources and instructional materials |
| 3.4 During lesson, teacher makes effective instructional decisions based on formative assessments | A) Checking for students’ understanding and adjusting instruction  
B) Feedback to students  
C) Self-monitoring |
## Domain 4: Professional Responsibilities

| 4.1 Engage in critical reflection, constantly revising practice to increase effectiveness | A) Accuracy  
B) Use in future planning  
C) Acceptance of feedback |
|---|---|
| 4.2 Engage in collaborative relationships with peers to learn and share best practices and ensure continuity in student learning | A) Participation in a professional community  
B) Professional development  
C) Shared commitment |
| 4.3 Uphold and exhibit the CMO norms and expectations | A) Ethics and professionalism  
B) Norms described by school/CMO handbooks |

## Domain 5: Partnerships, Family and Community

| 5.1 Develop two-way communication with families about student learning and achievement | A) Initiation of meaningful communication  
B) Responsiveness to parent inquiries and communication  
C) Inclusion of the family as a partner in learning decisions |
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>5.2 Equip families with a variety of strategies to support their child's success and college readiness</td>
<td>A) Provision of parent education efforts to support students</td>
</tr>
</tbody>
</table>
| 5.3 Help students leverage resources in their community that support their success in college and beyond | A) Goal setting and advocacy  
B) Knowledge of community resources  
C) Support for students in accessing these resources |
### Aspire Instructional Rubric (AIR)

#### 2013-2014

<table>
<thead>
<tr>
<th>Standard</th>
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<th>Level I</th>
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<th>Level III</th>
<th>Level IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1. Establish standards-based learning objectives and assessments</td>
<td>A) Selection of learning objectives</td>
<td>Learning objective(s) are missing a specific level of cognition (Bloom's Level) or content. AND Learning objective(s) are misaligned with progress toward mastery of content standards.</td>
<td>Learning objective(s) are missing either a specific level of cognition (Bloom's Level) or content. OR Learning objective(s) are misaligned with progress toward mastery of content standards.</td>
<td>Learning objective(s) include both a specific level of cognition (Bloom's Level) and content. AND Learning objective(s) are aligned to and progress toward mastery of content standards.</td>
<td>All of level 3 and... Learning objective(s) exceed level of cognitive demand (Bloom's Level) required by content standards.</td>
</tr>
<tr>
<td></td>
<td>B) Measurability of learning objectives through summative assessments</td>
<td>Culminating lesson assessment does not measure the independent mastery of the learning objective(s).</td>
<td>Culminating lesson assessment measures the independent mastery of the learning objective(s) but only uses general criteria for measuring success.</td>
<td>Culminating lesson assessment measures the independent mastery of the learning objective(s) and uses specific criteria for measuring success.</td>
<td>All of level 3 and... AND Is measured by multiple methods.</td>
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<td></td>
</tr>
<tr>
<td>1.2. Organize instructional plans to promote standards-based, cognitively engaging learning for students</td>
<td>A) Designing and sequencing of learning experiences</td>
<td>The design of the learning experiences is not aligned to the learning objective(s). AND Learning experiences are not sequenced to enable students to demonstrate independent mastery of the learning objective(s) through the gradual release of responsibility.</td>
<td>The design of the learning experiences is not aligned to the learning objective(s). OR Learning experiences are not sequenced to enable students to demonstrate independent mastery of the learning objective(s) through the gradual release of responsibility.</td>
<td>The design of the learning experiences is aligned to the learning objective(s). AND The design of the learning experiences is sequenced to enable students to demonstrate independent mastery of the learning objective(s) through the gradual release of responsibility.</td>
<td>The design of the learning experiences is differentiated to meet the needs of subgroups of students.</td>
</tr>
<tr>
<td></td>
<td>B) Creating cognitively engaging learning experiences for students</td>
<td>Instructional plans do not provide opportunity for cognitively engaging learning experiences at students' various ZPD levels throughout the lesson cycle.</td>
<td>The teacher inconsistently plans cognitively engaging learning experiences at students' various ZPD levels throughout the lesson cycle. OR Instructional plans include cognitively engaging learning experiences at students' various ZPD levels but without appropriate time and support throughout the lesson cycle.</td>
<td>Instructional plans include cognitively engaging learning experiences at students' various ZPD levels throughout the lesson cycle and each learning experience provides appropriate time and support.</td>
<td>All of level 3 and... Instructional plans provide differentiated cognitively engaging learning experiences at students' various ZPD levels for subgroups of students.</td>
</tr>
</tbody>
</table>
# Aspire Instructional Rubric (AIR)

## 2013-2014

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<th>Level IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3 Use student data to guide planning</td>
<td>A) Lesson design guided by data</td>
<td>The teacher does not use student data to guide or inform planning.</td>
<td>The teacher uses student data to inform planning of content organization or instructional strategies. OR The teacher uses student data to inform planning that meets the needs of the whole class.</td>
<td>The teacher uses student data to inform planning of content organization and instructional strategies AND The teacher uses student data to inform planning that meets the needs of subgroups of students.</td>
<td>The teacher uses student data to inform planning of content organization and instructional strategies. AND The teacher uses student data to inform planning that meets the needs of subgroups of students. AND The teacher cites instructional strategies to meet the needs of individual students.</td>
</tr>
<tr>
<td>1.4 Use knowledge of subject matter content/skills and learning processes to plan for student learning</td>
<td>A) Knowledge of subject matter to identify prerequisite knowledge &amp; skills</td>
<td>The teacher does not accurately identify or address the prerequisite knowledge and skills to achieve the standard/learning objective(s). OR The teacher does not include opportunities to activate prerequisite knowledge. OR The teacher does not include strategies to address potential gaps for the whole class of students.</td>
<td>The teacher identifies some prerequisite knowledge and skills to achieve the standard/learning objective(s), but key prerequisite knowledge may not be identified. OR The teacher includes opportunities to activate prerequisite knowledge. AND The teacher includes strategies to address potential gaps for the whole class of students.</td>
<td>The teacher accurately identifies the prerequisite knowledge and skills to achieve the standard/learning objective(s). OR The teacher includes opportunities to activate prerequisite knowledge. AND The teacher includes strategies to address potential gaps for the whole class of students.</td>
<td>All of level 3 and... The teacher includes strategies to address potential gaps for individual students.</td>
</tr>
<tr>
<td></td>
<td>B) Addresses common content misconceptions</td>
<td>The teacher does not anticipate common student content misconceptions and does not include strategies to ensure students recognize and address these misconceptions to master the standard/learning objective(s).</td>
<td>The teacher anticipates common student content misconceptions but does not include strategies to ensure students recognize and address these misconceptions to master the standard/learning objective(s).</td>
<td>The teacher anticipates common student content misconceptions and includes strategies that ensure students recognize and address these misconceptions to master the standard/learning objective(s).</td>
<td>All of level 3 and... The teacher includes opportunities for students to uncover and correct their own content misconceptions.</td>
</tr>
</tbody>
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**2013-2014**

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</thead>
<tbody>
<tr>
<td>1.5 Design assessments to ensure student mastery</td>
<td>A) Selection and progression of formative assessments</td>
<td>Formative assessments are not aligned to the learning objective(s). OR Formative assessments are not planned.</td>
<td>The formative assessments are inconsistently aligned to the learning objective(s). OR Formative assessments do not yield actionable data. OR Formative assessments are planned for a single component of the lesson cycle.</td>
<td>Different types of formative assessments are selected to yield actionable data about progress towards mastery of the learning objective(s). AND Formative assessments are planned for different components of the lesson cycle, progressing toward student mastery of the learning objective(s).</td>
<td>All of level 3 and... The formative assessments are differentiated to yield actionable data about subgroups of students.</td>
</tr>
<tr>
<td></td>
<td>B) Planned response to formative assessment data</td>
<td>The teacher has not planned to adjust instruction based on the data from formative assessments.</td>
<td>The teacher inconsistently plans to adjust instruction based on the data from formative assessments.</td>
<td>The teacher plans to adjust instruction based on the data from each formative assessment.</td>
<td>All of level 3 and... The teacher articulates how students will be involved in establishing next steps.</td>
</tr>
<tr>
<td>Standard</td>
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</tr>
<tr>
<td>2.1 Creates a classroom/community culture of learning</td>
<td>A. Value of effort and challenge</td>
<td>The teacher's words and actions provide little or no encouragement for academic learning or convey low expectations for student effort. Students do not consistently persist in completing assigned work.</td>
<td>The teacher's words and actions emphasize compliance and completion of work. Students seek to complete tasks without consistent focus on learning or persistence toward quality work.</td>
<td>The teacher's words and actions promote belief in student ability and high expectations for student effort. Students consistently expend effort to learn and persist in producing high quality work.</td>
<td>All of level 3 and... Students assume responsibility or take initiative for producing high quality work, holding themselves, and each other, to high standards of performance.</td>
</tr>
<tr>
<td></td>
<td>A. Behavioral expectations</td>
<td>It is evident that the teacher did not teach standards for student behavior. OR Student behavior does not contribute to an academic environment.</td>
<td>The teacher inconsistently communicates standards for student behavior. OR Student behavior inconsistently contributes to an academic environment.</td>
<td>The teacher consistently communicates clear, high standards for student behavior. AND Student behavior consistently contributes to an academic environment.</td>
<td>The teacher has established clear, high standards for student behavior. Without being prompted, students articulate or demonstrate high behavioral expectations that support the classroom's academic environment.</td>
</tr>
<tr>
<td>2.2 Manage student behavior through clear expectations and a balance of positive reinforcement, feedback, and redirection</td>
<td>B. Response to behavior</td>
<td>The teacher does not respond to misbehavior when necessary, or the response is repressive or disrespectful of student dignity.</td>
<td>The teacher's verbal or non-verbal response to student behavior is inconsistent. OR Teacher's verbal or non-verbal response is focused on the whole-class. OR Teacher emphasizes consequences over positive reinforcement.</td>
<td>The teacher's verbal or non-verbal response to student behavior is consistent, respectful, proactive, and includes redirection, feedback or positive reinforcement to specific students.</td>
<td>Classroom exhibits no need for teachers or students to redirect negative behavior. OR Students appropriately respond to, redirect, provide feedback, or provide positive reinforcement to each other's behavior.</td>
</tr>
</tbody>
</table>
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</tr>
</thead>
<tbody>
<tr>
<td>2.3 Establish a culture of respect and rapport which supports students' emotional safety</td>
<td>A. Interactions between teacher and students</td>
<td>The teacher's interactions with some students are negative, demeaning, or inappropriate to the age and needs of the students in the class. OR Students exhibit disrespect for the teacher.</td>
<td>The teacher's interactions with students inconsistently demonstrate respect and positivity, are inconsistently appropriate for the age and needs of students, or inconsistently support student growth. OR Students inconsistently exhibit respect for the teacher.</td>
<td>The teacher's interactions with students are respectful, positive, and appropriate for the age and needs of the students and support student growth. AND Students exhibit respect for the teacher.</td>
<td>All of level 3 and... The teacher's interactions demonstrate a positive rapport with individual students.</td>
</tr>
<tr>
<td>B. Student interactions with each other</td>
<td>Student interactions are impolite and disrespectful, which interferes with learning for some students.</td>
<td>Student interactions are generally polite and respectful, but students do not support each other's learning.</td>
<td>Student interactions are polite and respectful, and students support each other's learning.</td>
<td></td>
<td>Student interactions are polite and respectful, and students support each other's learning. AND Students encourage each other individually.</td>
</tr>
<tr>
<td>2.4 Use smooth and efficient transitions, routines, and procedures</td>
<td>A. Routines, procedures, and transitions</td>
<td>The teacher has not established or does not implement routines, procedures, and transitions, resulting in a loss of instructional time.</td>
<td>The teacher has established some routines, procedures, and transitions; however, some may be missing or inconsistently implemented, resulting in the loss of instructional time.</td>
<td>The teacher has established and implements routines, procedures, and transitions that maximize instructional time.</td>
<td>All of level 3 and... With minimal prompting, students effectively facilitate some routines, procedures, and transitions.</td>
</tr>
<tr>
<td>Standard</td>
<td>Indicators</td>
<td>Level I</td>
<td>Level II</td>
<td>Level III</td>
<td>Level IV</td>
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</tr>
<tr>
<td>A. Communication of the learning objectives of the lesson</td>
<td>The teacher does not explain the learning objective(s). OR Students cannot articulate what they are expected to learn.</td>
<td>The teacher explains the learning objective(s) but does not refer to the objective(s) throughout the lesson. OR Students cannot articulate what they are expected to learn.</td>
<td>The teacher explains the learning objective(s) and refers back to it throughout the lesson. AND Students are able to articulate what they are expected to learn.</td>
<td>All of level 3 and... Students are able to articulate the relevance of the learning objective(s) within or outside of the discipline.</td>
<td></td>
</tr>
<tr>
<td>B. Connections to prior and future learning experiences</td>
<td>The teacher does not make connections between current learning objective(s) and the students’ prior or future learning. OR The teacher makes connections to prior and future learning but the connections are vague or based on connections to assessments and grades.</td>
<td>The teacher makes connections between the current learning objective(s) and the students’ prior and future learning.</td>
<td>The teacher facilitates as students build connections between the current learning objective(s) and their prior and future learning.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Criteria for success</td>
<td>The teacher does not mention criteria for successfully demonstrating attainment of the learning objective(s).</td>
<td>The teacher mentions but does not clearly explain the criteria for successfully demonstrating attainment of the learning objective(s). Exemplars and models are not provided.</td>
<td>The teacher clearly articulates the criteria for successfully demonstrating attainment of the lesson objective(s) and provides exemplars and models. AND Students are able to articulate the criteria for successfully demonstrating attainment of the learning objective(s).</td>
<td>All of level 3 and... The teacher solicits student discussion to define or affirm the criteria for successfully demonstrating attainment of the learning objective(s).</td>
<td></td>
</tr>
<tr>
<td>A. Executes lesson cycle</td>
<td>The teacher executes a lesson cycle that is inappropriately paced. AND The teacher does not execute a lesson cycle that gradually releases responsibility.</td>
<td>The teacher executes a lesson cycle that is inappropriately paced. OR The teacher does not execute a lesson cycle that gradually releases responsibility.</td>
<td>The teacher executes an appropriately paced lesson cycle that gradually releases responsibility so that students can independently master the learning objective(s).</td>
<td>All of level 3 and... To address the needs of subgroups or an individual student, the teacher adapts pacing or the release of responsibility.</td>
<td></td>
</tr>
<tr>
<td>B. Cognitive Level of Student Learning Experiences</td>
<td>Learning experiences are not cognitively engaging (at students’ various ZPD levels). OR Learning experiences do not match the level of rigor required to attain mastery of the standard/learning objective(s).</td>
<td>Some learning experiences are cognitively engaging (at students’ various ZPD levels). OR Some learning experiences match the level of standard/learning objectives.</td>
<td>Learning experiences throughout the lesson cycle are cognitively engaging (at students’ various ZPD levels). AND Learning experiences consistently match the level of rigor required to attain mastery of the standard/learning objective(s).</td>
<td>All of level 3 and... Learning experiences require student thinking that exceeds the level of cognition or increases the level of challenge required by the standard/learning objective(s).</td>
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<tr>
<td><strong>A. Questioning</strong></td>
<td>The teacher poses a few questions to students. OR The teacher does not scaffold questions toward cognitive challenge and mastery of the learning objective(s). OR Wait time is not used.</td>
<td>The teacher poses questions to a small number of students. OR The teacher inconsistently scaffolds questions toward cognitive challenge and mastery of the learning objective(s). OR Wait time is used inconsistently.</td>
<td>The teacher poses questions to a wide range of students that are scaffolded toward cognitive challenge and mastery of the learning objective(s). AND The teacher uses strategies to enable students to correctly answer questions and extend or justify their thinking. AND Wait time is used consistently.</td>
<td>All of Level 3 and... Students pose questions that require cognitive challenge. OR Students initiate questions to further their own or other students' understanding of the content.</td>
<td></td>
</tr>
<tr>
<td><strong>B. Academic Discourse</strong></td>
<td>The teacher does not require students to use academic vocabulary, discuss academic ideas, or justify their reasoning. OR The teacher provides minimal opportunities for student discussion.</td>
<td>The teacher inconsistently requires students in whole class or small group conversations to use academic vocabulary, discuss academic ideas, or justify their reasoning. OR Academic discourse is limited to a small number of students.</td>
<td>The teacher facilitates conversations in whole class and small group settings that require all students to consistently use academic vocabulary, discuss academic ideas, and justify their reasoning.</td>
<td>Students facilitate whole class or small group discussions and consistently use academic vocabulary, discuss academic ideas, and justify their reasoning.</td>
<td></td>
</tr>
<tr>
<td><strong>C. Group structures</strong></td>
<td>The structure and size of grouping arrangements do not move students toward mastery of the learning objective(s).</td>
<td>The structure and size of grouping arrangements inconsistently move students toward mastery of the learning objective(s). OR Students inconsistently participate within all group structures.</td>
<td>The structure and size of grouping arrangements move students toward mastery of the learning objective(s). AND Students actively participate within all group structures.</td>
<td>All of level 3 and... Students support each other to work through challenging activities and hold themselves and each other accountable for individual or group work that leads to mastery of the learning objective.</td>
<td></td>
</tr>
<tr>
<td><strong>D. Resources and Instructional materials</strong></td>
<td>Resources and instructional materials are unsuitable to the lesson objective(s), distract from or interfere with student learning, or do not promote cognitive engagement.</td>
<td>Resources and instructional materials are partially suitable to the lesson objective(s), Resources and materials only partially promote cognitive engagement.</td>
<td>Resources and instructional materials are suitable to the lesson objective(s), support attainment of the learning objective(s), and require cognitive engagement.</td>
<td>All of level 3 and... Students choose, adapt, or create materials to extend learning.</td>
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<tr>
<td>A. Checking for understanding and adjusting instruction</td>
<td>The teacher does not check for students' understanding of the learning objectives during the lesson. OR The teacher does not adjust instruction based on the data.</td>
<td>The teacher inconsistently checks for understanding throughout the lesson cycle. OR The checks do not yield actionable data on students' progress toward the learning objective(s). OR The teacher inconsistently or ineffectively adjusts instruction based on the data.</td>
<td>The teacher checks for understanding using different techniques throughout the lesson cycle to yield actionable data on students' progress toward mastery of the learning objective(s). AND The teacher adjusts whole-class instruction based on the data to meet students' learning needs as necessary.</td>
<td>All of level 3 and... The teacher implements differentiated instruction and continued checks for understanding based on the progress of individual students or subgroups toward mastery of the learning objective(s).</td>
<td></td>
</tr>
<tr>
<td>3.4 Monitoring student learning during instruction</td>
<td>B. Feedback to students</td>
<td>The teacher does not provide feedback to students. OR Feedback does not advance students toward mastery of the learning objective(s).</td>
<td>The teacher provides feedback but not throughout the lesson. OR Feedback inconsistently advances students toward attainment of the learning objective(s).</td>
<td>The teacher provides feedback throughout the lesson cycle that is specific and timely. AND Feedback consistently advances students toward attainment of the learning objective(s).</td>
<td>The teacher provides feedback throughout the lesson cycle that is specific and timely. AND Feedback consistently advances students toward attainment of the learning objective(s). AND Students provide specific feedback to one another.</td>
</tr>
<tr>
<td></td>
<td>C. Self-monitoring</td>
<td>The teacher does not provide students with opportunities to engage in self-monitoring of their own progress or thinking.</td>
<td>The teacher provides students with opportunities for self-monitoring exercises that do not move students towards mastery of the learning objective(s).</td>
<td>The teacher provides and students engage in self-monitoring exercises that move students towards mastery of the learning objective(s).</td>
<td>All of level 3 and... Students judge their own performance relative to success criteria and specifically identify further steps in learning.</td>
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<tr>
<td><strong>A) Accuracy</strong></td>
<td>The teacher does not know the degree to which a lesson was effective or achieved its instructional goals, or profoundly misjudges the success of a lesson.</td>
<td>The teacher has a somewhat accurate impression of a lesson’s effectiveness and success in meeting the instructional goals.</td>
<td>The teacher makes an accurate assessment of a lesson’s effectiveness and success in meeting the instructional goals, citing data to support the judgment.</td>
<td>The teacher makes a detailed and accurate assessment of a lesson’s effectiveness and success in achieving the instructional goals, citing specific data and weighing the relative strengths of each data source.</td>
<td></td>
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<tr>
<td><strong>B) Use in future planning</strong></td>
<td>The teacher does not make suggestions about how the lesson could be improved.</td>
<td>The teacher makes specific suggestions about how the lesson could be improved OR how the teacher’s practice can be improved in future lessons.</td>
<td>The teacher makes specific suggestions about how the lesson could be improved AND how the teacher’s practice can be improved in future lessons.</td>
<td>All of level 3 and... The teacher predicts how the improvements will advance student learning in future lessons.</td>
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</tr>
<tr>
<td><strong>C) Acceptance of feedback</strong></td>
<td>The teacher is resistant to feedback from supervisors or colleagues and/or does not use the feedback to improve practice.</td>
<td>The teacher accepts feedback from supervisors and colleagues but may/may not use the feedback to improve practice.</td>
<td>The teacher welcomes feedback from supervisors and colleagues and uses the feedback to improve practice.</td>
<td>The teacher welcomes feedback from supervisors and colleagues, uses the feedback to improve practice, and seeks further feedback on what has been implemented.</td>
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</tr>
<tr>
<td><strong>A) Participation in a professional community</strong></td>
<td>The teacher avoids participating in the professional community activities or has strained relationships with colleagues that negatively impact the learning community.</td>
<td>The teacher participates in professional community activities as required, maintaining cordial relationships with colleagues.</td>
<td>The teacher actively participates in the professional community by developing positive and productive professional relationships with colleagues.</td>
<td>The teacher makes a substantial contribution to the professional community by assuming appropriate leadership roles and promoting positive and professional relationships.</td>
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<tr>
<td><strong>B) Professional development</strong></td>
<td>The teacher resists applying learning gained from professional development activities, and does not share knowledge with colleagues.</td>
<td>The teacher applies learning gained from professional development activities, and makes limited contributions to others or the profession.</td>
<td>The teacher welcomes professional development opportunities and applies the learning gained to practice based on an individual assessment of need. The teacher willingly shares expertise with others.</td>
<td>The teacher seeks out professional development opportunities and applies the learning gained to practice. The teacher initiates activities that contribute to the profession.</td>
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<tr>
<td><strong>C) Shared commitment</strong></td>
<td>The teacher demonstrates little commitment to supporting shared agreements that support student learning.</td>
<td>The teacher adheres to shared agreements that support student learning.</td>
<td>The teacher contributes to and actively endorses shared agreements that support student learning.</td>
<td>The teacher assumes a leadership role in contributing to, endorsing and encouraging others to embrace the shared agreements that support student learning.</td>
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<tr>
<td>4.3</td>
<td>A) Ethics and professionalism</td>
<td>The teacher has little sense of ethics and professionalism, and contributes to practices that put adult interests ahead of students.</td>
<td>The teacher displays a moderate level of ethics and professionalism in dealing with colleagues.</td>
<td>The teacher displays a high level of ethics and professionalism in dealings with both colleagues and students.</td>
<td>The teacher displays the highest level of ethics and professionalism, consistently working to support traditionally underserved students.</td>
</tr>
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<td></td>
<td>B) Norms described by school/CMO handbooks</td>
<td>The teacher inconsistently complies with school and CMO policies and timelines.</td>
<td>The teacher complies with school and CMO policies and timelines, doing just enough to &quot;get by.&quot;</td>
<td>The teacher fully supports and complies with school and CMO policies and timelines.</td>
<td>The teacher assumes a leadership role in modeling school and CMO policies and timelines and encourages others to support them.</td>
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<tr>
<td>S.1</td>
<td>A) Initiation of meaningful communication</td>
<td>The teacher provides minimal information to parents about individual students, and/or the communication is inappropriate to the cultures of the families.</td>
<td>The teacher adheres to the school's required procedures for communicating with families with an awareness of cultural norms.</td>
<td>The teacher initiates communication with parents about students' progress on a regular basis, respecting cultural norms.</td>
<td>The teacher promotes frequent two-way communication with parents to improve student learning with students contributing to the design of the system.</td>
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<td></td>
<td>B) Responsiveness to parent inquiries and communication</td>
<td>The teacher does not respond, or regularly responds insensitively to parent concerns about students.</td>
<td>The teacher responds to parent concerns in a superficial or cursory manner, or responses may reflect occasional insensitivity.</td>
<td>The teacher responds to parent concerns in a timely and culturally respectful manner.</td>
<td>The teacher responds to parent concerns in a proactive, timely manner and handles this communication with great professional and cultural sensitivity.</td>
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<td></td>
<td>C) Inclusion of the family as a partner in learning decisions</td>
<td>The teacher makes no attempt to engage families in the instructional program, or such efforts are inappropriate.</td>
<td>The teacher makes modest and partially successful attempts to engage families in the instructional program.</td>
<td>The teacher's efforts to engage families in the instructional program are frequent and successful.</td>
<td>The teacher's efforts to engage families in the instructional program are frequent and successful. Students contribute ideas for projects that will be enhanced by family participation.</td>
</tr>
<tr>
<td>S.2</td>
<td>A) Provision of parent education efforts to support students' success and college readiness</td>
<td>The teacher does not provide parents with strategies to support their child's success and college-readiness.</td>
<td>The teacher provides parents with several strategies to support their child's success and college-readiness.</td>
<td>The teacher provides parents with limited strategies to support their child's success and college-readiness.</td>
<td>The teacher works collaboratively with parents to identify appropriate strategies to support their child's success and college-readiness including resources outside of the school. Students initiate the use of strategies with their parents.</td>
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<tr>
<td>5.3</td>
<td>A) Goal setting and advocacy</td>
<td>There is little / no evidence that students work with the teacher to establish learning goals, or that the teacher advocates for students to establish high learning goals.</td>
<td>There is evidence that the teacher advocates for groups of students to establish high learning goals, and that he/she works with students as a group to set goals.</td>
<td>The teacher encourages and advocates for students to attain high learning goals, works to help set and monitor goals, and integrates curriculum experiences that connect to student goals.</td>
<td>The teacher establishes processes through which students establish and monitor high personal learning goals, and self-advocate for their attainment of the goals. The teacher integrates curriculum experiences that provide connections to the goals.</td>
</tr>
<tr>
<td></td>
<td>B) Knowledge of community resources</td>
<td>The teacher is unaware of resources for students available through the school, CMO or community that students may access to learn about success in college and beyond.</td>
<td>The teacher demonstrates knowledge of resources for students available through the school or CMO, but has limited knowledge of resources available more broadly, or does not work to utilize the available resources to support student understanding of success in college and beyond.</td>
<td>The teacher displays awareness of resources for students available through the school or CMO, and familiarity with resources external to the school and on the Internet; available resources are utilized to increase relevance and student understanding of success in college and beyond.</td>
<td>The teacher demonstrates extensive knowledge of resources for students, including those available through the school or CMO, in the community, and on the Internet. Students identify and incorporate resources relevant to them, and that increases their understanding of success in college and beyond.</td>
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<tr>
<td></td>
<td>C) Support for students in accessing these resources</td>
<td>The teacher is unaware of resources and therefore unable to support students accessing resources.</td>
<td>The teacher refers students to other adults in the school to support students in accessing resources.</td>
<td>The teacher supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts.</td>
<td>The teacher supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts.</td>
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Aspire Instructional Rubric (AIR)

2013-2014
## Domain 1: Leadership, Vision and Culture

<table>
<thead>
<tr>
<th>Standards</th>
<th>Indicators</th>
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</thead>
</table>
| **1.1 Embraces a shared vision of academic success for every student** | A) Maintains a school-wide focus on high standards of achievement  
B) Creates a strong learning culture that communicates “college for certain” |
| **1.2 Exemplifies leadership** | A) Applies adaptive leadership appropriate to the situations and context of the school  
B) Develops new leaders and provides leadership opportunities as appropriate  
C) Designs and utilizes effective forms of formal and informal communication |
| **1.3 Ensures that students demonstrate consistent values and behaviors aligned to school’s vision and mission** | A) Effectively fosters a safe and civil environment  
B) Establishes a culture of respect and rapport which supports students’ emotional safety  
C) Creates and inclusive and positive school culture that values diversity and meets the needs of all students |
| **1.4 Allocates resources effectively to support student learning goals** | A) Maintains a balanced budget focused on improving student achievement  
B) Manages time and prioritizes effectively |

## Domain 2: People Management

<table>
<thead>
<tr>
<th>Standards</th>
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| **2.1 Strategically recruits, hires, and retains most qualified staff** | A) Attracts and selects effective teammates  
B) Mentors, develops and retains staff |
| **2.2 Creates supportive working environments** | A) Manages employees by setting clear expectations and accountable goals  
B) Builds a collaborative, well-functioning team  
C) Manages conflict |

## Domain 3: Instructional Leadership

<table>
<thead>
<tr>
<th>Standards</th>
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</table>
| **3.1 Demonstrates knowledge of instruction** | A) Clearly defines, sets expectations around and supports implementation of Aspire Instructional Guidelines (IG’s)  
B) Clearly defines, sets expectations around and supports implementation of effective teaching as defined in the TCRP Aspire Instructional Rubric (AIR) |
| **3.2 Provides coaching, supervision and evaluation of teachers** | A) Uses teacher observation and feedback to increase student achievement  
B) Provides support to teachers in developing instructional plans |
| **3.3 Uses data to increase student achievement** | A) Establishes goals for overall student achievement  
B) Regularly analyzes data and engages in data talks |
| **3.4 Provides effective data driven professional development aligned with staff needs and school-wide goals** | A) Provides professional development related to growth goals  
B) Actively participates in providing professional development |
| **3.5 Implements programs and systems to meet individual student needs** | A) Ensures that appropriate school-level and classroom level programs and practices are in place to help students meet individual achievement needs when data indicate interventions are needed |
| B) Ensures that appropriate school-level and classroom level programs and practices are in place to help students with special needs meet individual achievement goals according to IEP or 504 plan |
## Aspire Principal Performance Rubric

**February 2013**

<table>
<thead>
<tr>
<th>Domain 4: Professional Responsibilities</th>
<th>Standards</th>
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<tbody>
<tr>
<td><strong>4.1</strong> Engage in critical reflection,</td>
<td>A) Acceptance of feedback</td>
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<tr>
<td>constantly revising practice to increase</td>
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<tr>
<td>effectiveness</td>
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<tr>
<td><strong>4.2</strong> Engage in collaborative relationships with peers to learn and</td>
<td>A) Participation in a professional community</td>
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<td>share best practices and ensure continuity in student learning</td>
<td>B) Professional development</td>
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<td>C) Shared commitment</td>
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<tr>
<td><strong>4.3</strong> Uphold and exhibit the CMO norms and expectations</td>
<td>A) Ethics and professionalism</td>
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<td></td>
<td>B) Norms described by school/CMO handbooks</td>
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</table>

<p>| Domain 5: Partnerships, Family and Community |
|---------------------------------------------|--------------------------------------------------------------------------------|
| <strong>5.1</strong> Develop two-way communication with families about student learning and achievement | A) Initiation of meaningful communication                                      |
|                                                                                          | B) Responsiveness to parent inquiries and communication                        |
|                                                                                          | C) Inclusion of the family as a partner in learning decisions                  |
| <strong>5.2</strong> Equip families with a variety of strategies to support their child's success and college readiness | A) Provision of parent education efforts to support students                  |
| <strong>5.3</strong> Help students leverage resources in their community that support their success in college and beyond | A) Goal setting and advocacy                                                  |
|                                                                                          | B) Knowledge of community resources                                           |
|                                                                                          | C) Support for students in accessing these resources                          |</p>
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<tbody>
<tr>
<td>1.1 Embraces a shared vision of academic success for every student</td>
<td>A) Maintains a school-wide focus on high standards of student achievement</td>
<td>Spends excessive time and energy on issues unrelated to student achievement; fails to focus self or others on student learning.</td>
<td>Consistently speaks of high standard of student achievement as the focus of the school</td>
<td>Establishes and continually reinforces high standards of student learning as the central mission of the school through both words and actions</td>
<td>Is consistent and unrelenting in reinforcing the highest standards of student learning as the central mission of the school and models that focus in all activities</td>
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<td></td>
<td>B) Creates a strong learning culture that communicates &quot;college for certain&quot;</td>
<td>Does not discuss or refer to the vision of the school; student behavior is not reflective of a &quot;college for certain&quot; culture; no artifacts or systems reflect the vision</td>
<td>Little time is spent sharing the vision; student behavior is somewhat reflective of a &quot;college for certain&quot; culture; few artifacts and systems reflect the &quot;college for certain&quot; culture</td>
<td>Periodic discussion focuses the community on the vision; student behavior is generally reflective of a &quot;college for certain&quot; culture</td>
<td>Vision is shared by all constituents and frequently referenced; student behavior is reflective of an effective learning community; creative artifacts and systems communicate with all constituents about going to college</td>
</tr>
<tr>
<td>1.2 Exemplifies leadership</td>
<td>A) Applies adaptive leadership appropriate to the situation and the context of the school</td>
<td>Is completely authoritarian or provides no leadership at all; does not make leadership decisions based on the situation</td>
<td>Attempts to use different leadership approaches depending on the situation; understands the strengths and drawbacks of different approaches</td>
<td>Uses a number of leadership strategies skillfully; exercises good judgment about the appropriate management style to use</td>
<td>Uses a variety of leadership strategies skillfully; consistently exercises good judgment about the appropriate management strategy to use</td>
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<td></td>
<td>B) Develops new leaders and provides leadership opportunities as appropriate</td>
<td>Does not identify leaders at school site; provides no opportunities for teachers or staff to lead</td>
<td>Provides some opportunities for teachers or staff to lead</td>
<td>Allows most staff an opportunity to lead</td>
<td>Delegates and collaborates as a way to train and motivate new leaders; staff feels empowered in formal and informal ways</td>
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<tr>
<td></td>
<td>C) Designs and utilizes effective forms of formal and informal communication</td>
<td>Does not convey information to staff in a timely manner; is a poor listener; does not express ideas clearly</td>
<td>Disseminates clear, concise information in a timely manner using appropriate media; demonstrates attention to others' comments</td>
<td>Disseminates clear, concise information in a timely manner using appropriate media; targets communication to suit the audience; actively listens</td>
<td>Models effective two-way communication; is able to inspire as well as convey information</td>
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### Domain 1: Leadership, Vision and Culture

**February 2013**

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<tbody>
<tr>
<td>A) Effectively fosters a safe and civil environment</td>
<td>Student discipline policy is handled inconsistently or not at all. School environment does not feel safe and respectful.</td>
<td>Student discipline policy is handled inconsistently, but student behavior is orderly most of the time. School environment feels safe and respectful.</td>
<td>Student discipline policy is handled consistently. School environment feels safe and respectful.</td>
<td>Student discipline policy is handled consistently. Student behavior is reflective of an effective learning community. School environment is not only safe and respectful, but also reflects a rigorous academic focus.</td>
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<tr>
<td>B) Establishes a culture of respect and rapport which supports students' emotional safety</td>
<td>Interactions with some students are negative, demeaning, or inappropriate to the age and needs of the students OR students exhibit disrespect for the principal.</td>
<td>Interactions with students inconsistently demonstrate respect and positivity, or are not consistently appropriate for the age and needs of students OR students inconsistently exhibit respect for the principal.</td>
<td>Interactions with students are respectful, positive and appropriate for the age and needs of student. AND Students exhibit respect for the principal AND The principal's interactions demonstrate a positive rapport with individual students.</td>
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<tr>
<td>C) Creates an inclusive and positive school culture that values diversity and meets the needs of all students</td>
<td>Demonstrates limited awareness of the impact of diversity on student learning; does not help staff to navigate strengths and challenges provided by diverse students or perspectives; does not engage in courageous conversations about biases or has a limited skill set in addressing biased language and behaviors</td>
<td>Recognizes the impact of diversity on student learning; attempts to create a learning environment that is supportive of all students; develops systems to support diverse student needs; seeks opportunities or reactively engages in courageous conversations about diversity and culture and how they impact student learning</td>
<td>Creates a learning environment that is welcoming and supportive of all students and families; engages staff in addressing learning needs and challenges originating from diversity and difference and creates systems to address these needs; develops staff capacity to engage in courageous conversations about diversity and culture and how they impact student learning</td>
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<tr>
<td>1.3 Ensures that students demonstrate consistent values and behaviors aligned to school's vision and mission</td>
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</table>
## Domain 1: Leadership, Vision and Culture

**February 2013**

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<tbody>
<tr>
<td>1.4</td>
<td>A) Maintains a balanced budget focused on improving student achievement</td>
<td>Does not manage budget effectively; budget does not meet bottom line; does not understand the basics of the budget nor makes any effort to learn.</td>
<td>Attempts to manage budget effectively to meet bottom line, is slightly over budget; understands basic principles of budget management</td>
<td>Manages budget effectively to meet bottom line; manages and monitors fiscal resources efficiently and effectively on improving student learning; understands finance and accounting principals; finds ways to increase revenues and decrease costs as much as possible</td>
<td>Manages budget effectively to meet bottom line; manages and monitors fiscal resources efficiently and effectively on improving student learning; understands finance and accounting principals; finds creative ways to maximize revenue and minimize costs; works with staff and community to match priorities with spending.</td>
</tr>
<tr>
<td></td>
<td>B) Manages time and prioritizes effectively</td>
<td>Is completely reactive; acts mostly in response to crisis; fails to spend time on the school’s core mission</td>
<td>Makes a deliberate effort to spend time on the most mission-critical activities</td>
<td>Organizes time around the school’s goals; is efficient taking care of lower priority items</td>
<td>Organizes the way time is spent throughout the school to ensure a focus on the school and organization’s goals; ensures that time is well-spent by all staff</td>
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</table>
## Domain 2: People Management

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<tbody>
<tr>
<td>2.1 Strategically recruits, hires, and retains most qualified staff</td>
<td>A) Attracts and selects effective teammates</td>
<td>Identifies or selects candidates based on inappropriate criteria; does use a sound and consistent process for hiring</td>
<td>Relies on Aspire-wide advertising to attract candidates; uses Aspire criteria and process to select staff</td>
<td>Uses multiple channels to identify and recruit strong candidates; consistently uses Aspire criteria and process to select staff</td>
<td>Proactively uses multiple channels to identify and recruit top performers for Aspire beyond school site; selects staff that represents a balanced mix of strengths and styles</td>
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<tr>
<td></td>
<td>B) Mentors, develops and retains staff</td>
<td>Does not implement strategies to assess professional goals; does not create and implement processes to mentor new teachers and staff</td>
<td>Implements strategies to assess staff professional goals; creates and implements a system to identify, support, mentor and coach members are new or emerging leaders who need additional support</td>
<td>Consistently implements strategies to assess and support staff professional goals; creates and implements a system to identify, support, mentor and coach members are new or emerging leaders who need additional support</td>
<td>Consistently implements strategies to assess and staff professional goals and provides differentiated support; creates and implements a system to identify, support, mentor and coach members are new or emerging leaders who need additional support</td>
</tr>
<tr>
<td>2.2 Creates supportive working environments</td>
<td>A) Manages employees by setting clear expectations and accountable goals</td>
<td>Sets unclear expectations with staff; does not create PLP goals; staff performance is not monitored regularly; resists discussing results and metrics with staff; consistently underperforming staff are not placed on improvement plans</td>
<td>Creates PLP’s for some but not all staff; places consistently underperforming staff on improvement plans but not in a timely manner and lacks sufficient data documentation OR does not follow-through with implementation of plan</td>
<td>Creates PLP’s for all staff aligned to AIR, school goals, or Aspire Must Achieves; consistently places underperforming staff on improvement plans using sufficient evidence AND provides appropriate support</td>
<td>Creates a culture of accountability; creates individual PLP goals for all staff that align to Aspire AIR, school goals, and Aspire Must Achieves; creates improvement plans for underperforming staff based on multiple sources of evidence with sufficient supplemental documentation AND provides appropriate support</td>
</tr>
<tr>
<td></td>
<td>B) Builds a collaborative, well-functioning team</td>
<td>Does not promote collaborative behavior among staff members; allows strong individuals to derail productive group work</td>
<td>Encourages staff to collaborate but lacks a culture of shared accountability; some but not all staff feel part of the team</td>
<td>Enables frequent collaboration among staff members; uses individuals' strengths effectively; creates a culture of shared accountability</td>
<td>Creates a culture of collaboration and mutual support; uses individual strengths effectively; fosters employee skills in team-building; creates a strong culture of shared accountability</td>
</tr>
<tr>
<td></td>
<td>C) Manages conflict</td>
<td>Has little awareness of potential problems and/or areas of conflict with the school; does not have processes to resolve problems or areas of conflict OR</td>
<td>Demonstrates awareness of potential problems and/or areas of conflict with the school; has some processes in place to resolve problems and/or areas of</td>
<td>Is aware of potential problems and areas of conflict within the school; establishes processes to resolve problems and conflicts and does so consistently to result</td>
<td>Is aware of potential problems and areas of conflict within the school; establishes processes to resolve problems and conflicts skillfully and does</td>
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## Domain 2: People Management

<table>
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<tr>
<th>does so inconsistently</th>
<th>conflict</th>
<th>in the best interest of students and the school</th>
<th>so consistently to result in the best interest of students and the school AND develops the capacity of all school staff to manage conflict effectively</th>
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## Domain 3: Instructional Leadership

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<tbody>
<tr>
<td>3.1 Demonstrates knowledge of instruction</td>
<td>A) Clearly defines, sets expectations around and supports implementation of Aspire Instructional Guidelines</td>
<td>Does not understand Aspire Instructional Guidelines or has no vision for implementation of Aspire IG's; does not use IG's in coaching teachers</td>
<td>Is aware of Aspire IG's and has some vision for implementation; occasionally uses Aspire IG's in coaching teachers</td>
<td>Understands Aspire IG's and has a vision for implementation; regularly reinforces them in coaching teachers</td>
<td>Thoroughly understands the nuances of Aspire IG's and has a shared school-wide vision for implementation; models and reinforces their constant implementation and uses the to coach teachers</td>
</tr>
<tr>
<td></td>
<td>B) Clearly defines, sets expectations around and supports implementation of effective teaching as defined in the TCRP Aspire Instructional Rubric (AIR)</td>
<td>Does not understand Aspire Instructional Rubric or has no vision for implementation of TCRP AIR; does not use AIR in coaching teachers</td>
<td>Is aware of Aspire Instructional Rubric and has some vision for implementation; occasionally uses the TCRP AIR in coaching teachers</td>
<td>Understands the TCRP AIR and has a vision for implementation; regularly reinforces them in coaching teachers</td>
<td>Thoroughly understands the nuances of TCRP AIR and has a shared school-wide vision for implementation; models and reinforces their constant implementation and uses the to coach teachers</td>
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## Domain 3: Instructional Leadership

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<tbody>
<tr>
<td>3.2 Provides coaching, supervision and evaluation of teachers</td>
<td>A) Uses teacher observation and feedback to increase student achievement</td>
<td>Spends very little time in classrooms observing teachers OR conducts less than 3 mini observations and 1 formal observation per teacher OR observes teachers but does not follow-up with teachers</td>
<td>Observes and provides informal feedback (including follow-up with teachers) for most teachers at least monthly AND provides teachers with feedback for at least 3 mini observations and 1 formal observation aligned with TCRP Aspire Instructional Rubric</td>
<td>Maintains a regular schedule of classroom observations spending an average of one hour per day in classrooms and ensuring that every teacher is substantively observed at least weekly during the school year AND observation times and topics are geared towards educators’ professional development goals; explicitly links observations to educators’ personalized learning plans, TCRP AIR, school goals, student achievement data and Aspire Must Achieves in a continuous way AND uses a variety of formal and informal methods to provide teachers with timely feedback (written and verbal) aligned to Aspire AIR beyond 3 mini observations and 1 formal observation</td>
<td>Maintains a regular schedule of classroom observations and ensures that all teachers are substantively observed at least weekly during the school year AND observation times and topics are geared towards educators’ professional development goals; explicitly links observations to educators’ personalized learning plans, TCRP AIR, school goals, student achievement data and Aspire Must Achieves in a continuous way AND uses a variety of formal and informal methods to provide teachers with timely feedback (written and verbal) aligned to Aspire AIR beyond 3 mini observations and 1 formal observation</td>
</tr>
<tr>
<td>B) Provides support to teachers in developing instructional plans</td>
<td>Does not participate in planning with teachers; does not provide teachers with feedback on lesson plans</td>
<td>Participates in planning with teachers, but does so inconsistently or does not make a valuable contribution to the planning process; inconsistently provides feedback on lesson plans or does not provide meaningful feedback</td>
<td>Participates in planning with teachers regularly; consistently provides meaningful feedback on lesson plans</td>
<td>Participates in planning with teachers regularly; consistently provides feedback on lesson plans to advance teacher effectiveness on the Aspire Instructional Rubric (AIR)</td>
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### Domain 3: Instructional Leadership

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<tr>
<td><strong>3.3</strong> Uses data to increase student achievement</td>
<td>A) Establishes goals for overall student achievement</td>
<td>Attempts to establish written achievement goals at the school level but does not complete the task or does so partially</td>
<td>Establishes written achievement goals at the school level</td>
<td>Establishes written achievement goals at the school level and regularly refers to these goals and reminds faculty and staff of these goals</td>
<td>All staff, faculty, families and students are aware of student achievement goals including times when goals are refined as data is accumulated</td>
</tr>
<tr>
<td></td>
<td>B) Regularly analyzes data and engages in data talks</td>
<td>Does not use data in making decisions or coaching teachers; does not make data available to staff; does not engage in regular data talks</td>
<td>Periodically reviews data provided by the state or Home Office; reviews and discusses school-wide data with staff</td>
<td>Analyzes a wide range of student and teacher data; aggregates and disaggregates data; trains staff to collect and use data on a regular basis to improve teaching and regularly conducts Cycles of Inquiry</td>
<td>Incorporates the use of data into the daily life of the school, consistently tracking and analyzing a variety of metrics against goals to continually improve teaching in the school; analyzes data in aggregate by subgroups to reinforce school goals and guide daily activities AND regularly conducts and participates in Cycles of Inquiry</td>
</tr>
<tr>
<td><strong>3.4</strong> Provides effective data driven professional development aligned with staff needs and school-wide goals</td>
<td>A) Provides professional development related to growth goals</td>
<td>Attempts to ensure that job-embedded professional development is provided to teachers but does not complete the task or does so partially</td>
<td>Ensures that job-embedded professional development is provided to teachers</td>
<td>Ensures that job-embedded professional development is provided to teachers that is directly related to their growth goals</td>
<td>Ensures that job-embedded professional development is provided to teachers that is directly related to their growth goals AND continually re-evaluates the professional development program to ensure that it remains job-embedded and focused on teacher growth goals</td>
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<tr>
<td>B) Actively participates in providing professional development</td>
<td>Displays little or no evidence of new learning or sharing that learning with colleagues</td>
<td>Occasionally devotes faculty meetings to professional development and shares personal learning experience with colleagues but relies on others to lead each professional development opportunity</td>
<td>Regularly engages staff in professional development AND personally leads professional development at various times throughout the school year</td>
<td>Regularly engages staff in professional development AND is an active participant in professional development by leading or collaboratively conducting professional development with teachers or other experts</td>
<td></td>
</tr>
<tr>
<td>A) Ensures that appropriate school-level and classroom-level programs and practices are in place to help students meet individual achievement goals when data indicate interventions are needed</td>
<td>Attempts to ensure that programs and practices, such as RTI, are in place for individuals who are not making adequate progress, but does not complete the task or does so partially</td>
<td>Ensures that programs and practices are in place, such as RTI, for individual students who are not making adequate progress</td>
<td>Ensures that programs and practices are in place, such as RTI, for individual students who are not making adequate progress and that students are successfully completing these programs</td>
<td>Ensures that programs and practices are in place, such as RTI, for individual students who are not making adequate progress and that students are successfully completing these programs AND continually expands the options for individual students to make adequate progress</td>
<td></td>
</tr>
<tr>
<td>3.5 Implements programs and systems to meet individual student needs</td>
<td>Attempts to ensure that programs and practices are in place for students with IEPs or 504s, but does not complete the task or does so partially; out of compliance</td>
<td>Ensures that programs and practices are in place for students with IEPs or 504s; accommodations are implemented inconsistently</td>
<td>Ensures that programs and practices are in place for students with IEPs or 504s and that students are successful in these programs; ensures that appropriate accommodations are implemented consistently</td>
<td>Ensures that programs and practices are in place for students with IEPs or 504s and that students are successful in these programs AND continually expands the options for individual students to make adequate progress AND ensures that accommodations are implemented consistently and modified as needed</td>
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## Domain 4: Professional Responsibilities

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<tbody>
<tr>
<td>4.1</td>
<td>A) Acceptance of feedback</td>
<td>The principal is resistant to feedback from supervisors or colleagues for use in improving practice.</td>
<td>The principal accepts feedback from supervisors and colleagues for use in improving practice.</td>
<td>The principal welcomes feedback from supervisors and colleagues for use in improving practice.</td>
<td>The principal seeks out feedback from supervisors and colleagues for use in improving practice.</td>
</tr>
<tr>
<td>4.2</td>
<td>A) Participation in a professional community</td>
<td>The principal avoids participating in the professional community activities or has strained relationships with colleagues that negatively impact the learning community.</td>
<td>The principal participates in professional community activities as required, maintaining cordial relationships with colleagues.</td>
<td>The principal actively participates in the professional community by developing positive and productive professional relationships with colleagues.</td>
<td>The principal makes a substantial contribution to the professional community by assuming appropriate leadership roles and promoting positive and professional relationships.</td>
</tr>
<tr>
<td></td>
<td>B) Professional development</td>
<td>The principal resists applying learning gained from professional development activities, and does not share knowledge with colleagues.</td>
<td>The principal applies learning gained from professional development activities, and makes limited contributions to others or the profession.</td>
<td>The principal welcomes professional development opportunities and applies the learning gained to practice based on an individual assessment of need. The teacher willingly shares expertise with others.</td>
<td>The principal seeks out professional development opportunities and applies the learning gained to practice. The teacher initiates activities that contribute to the profession.</td>
</tr>
<tr>
<td></td>
<td>C) Shared commitment</td>
<td>The principal demonstrates little commitment to supporting shared agreements that support student learning.</td>
<td>The principal adheres to shared agreements that support student learning.</td>
<td>The principal contributes to and actively endorses shared agreements that support student learning.</td>
<td>The principal assumes a leadership role in contributing to, endorsing and encouraging others to embrace the shared agreements that support student learning.</td>
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# Domain 4: Professional Responsibilities

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<tbody>
<tr>
<td>4.3</td>
<td>A) Ethics and professionalism</td>
<td>The principal has little sense of ethics and professionalism, and contributes to practices that put adult interests ahead of students.</td>
<td>The principal displays a moderate level of ethics and professionalism in dealing with colleagues.</td>
<td>The principal displays a high level of ethics and professionalism in dealings with both colleagues and students.</td>
<td>The principal displays the highest level of ethics and professionalism, consistently working to support traditionally underserved students.</td>
</tr>
<tr>
<td></td>
<td>B) Norms described by school/CMO handbooks</td>
<td>The principal inconsistently complies with school and CMO policies and timelines.</td>
<td>The principal complies with school and CMO policies and timelines, doing just enough to “get by.”</td>
<td>The principal fully supports and complies with school and CMO policies and timelines.</td>
<td>The principal assumes a leadership role in modeling school and CMO policies and timelines and encourages others to support them.</td>
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# Domain 5: Partnerships, Family and Community

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<tr>
<td>5.1</td>
<td>A) Initiation of meaningful communication</td>
<td>The principal provides minimal information to parents about individual students, and/or the communication is inappropriate to the cultures of the families.</td>
<td>The principal adheres to the school’s required procedures for communicating with families with an awareness of cultural norms.</td>
<td>The principal initiates communication with parents about students’ progress on a regular basis, respecting cultural norms.</td>
<td>The principal promotes frequent two-way communication with parents to improve student learning with students contributing to the design of the system.</td>
</tr>
<tr>
<td></td>
<td>B) Responsiveness to parent inquiries and communication</td>
<td>The principal does not respond, or regularly responds insensitively to parent concerns about students.</td>
<td>The principal responds to parent concerns in a superficial or cursory manner, or responses may reflect occasional insensitivity</td>
<td>The principal responds to parent concerns in a timely and culturally respectful manner.</td>
<td>The principal responds to parent concerns in a pro-active, timely manner and handles this communication with great professional and cultural sensitivity.</td>
</tr>
<tr>
<td></td>
<td>C) Inclusion of the family as a partner in learning decisions</td>
<td>The principal makes no attempt to engage families in the instructional program, or such efforts are inappropriate.</td>
<td>The principal makes modest and partially successful attempts to engage families in the instructional program.</td>
<td>The principal efforts to engage families in the instructional program are frequent and successful.</td>
<td>The principal’s efforts to engage families in the instructional program are frequent and successful. Students contribute ideas for projects that will be enhanced by family participation.</td>
</tr>
<tr>
<td>5.2</td>
<td>A) Provision of parent education efforts to support students</td>
<td>The principal does not provide parents with strategies to support their child’s success and college-readiness.</td>
<td>The principal provides parents with several strategies to support their child’s success and college-readiness including resources outside of the school.</td>
<td>The principal works collaboratively with parents to identify appropriate strategies to support their child’s success and college-readiness including resources outside of the school.</td>
<td>Students initiate the use of strategies with their parents.</td>
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<td>Standard</td>
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<tr>
<td>5.3</td>
<td>B) Knowledge of community resources</td>
<td>The principal is unaware of resources for students available through the school, CMO or community that students may access to learn about success in college and beyond.</td>
<td>The principal demonstrates knowledge of resources for students available through the school or CMO, but has limited knowledge of resources available more broadly, or does not work to utilize the available resources to support student understanding of success in college and beyond.</td>
<td>The principal displays awareness of resources for students available through the school or CMO, and familiarity with resources external to the school and on the internet; available resources are utilized to increase relevance and student understanding of success in college and beyond.</td>
<td>The principal demonstrates extensive knowledge of resources for students, including those available through the school or CMO, in the community, and on the internet. Students identify and incorporate resources relevant to them, and that increases their understanding of success in college and beyond.</td>
</tr>
<tr>
<td></td>
<td>C) Support for students in accessing these resources</td>
<td>The principal is unaware of resources and therefore unable to support students accessing resources.</td>
<td>The principal refers students to other adults in the school to support students in accessing resources.</td>
<td>The principal supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts.</td>
<td>The principal supports and advocates for students in accessing resources within and outside of the school by providing information and facilitating personal contacts. The teacher promotes the students in taking responsibility for identifying and maintaining contacts with resources.</td>
</tr>
</tbody>
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APPENDIX J

School Safety Plan
APPENDIX J

ASPIRE—ANTONIO MARIA LUGO ACADEMY
COMPREHENSIVE SCHOOL SAFETY PLAN

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INTRODUCTION
Aspire Public Schools is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers Aspire's policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

CAMPUS SAFETY AND SECURITY
Each school and its staff members will maintain policies, practices and procedures so that the campus is physically secure and safe.

Entrances and Exits
The school principal and office manager should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

Releasing Students
Aspire employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal’s designee or Aspire counsel before releasing the student.

Visitors Policy
Aspire encourages interested members of the community to visit our schools. To avoid potential disruptions to learning, to provide visitors with the information they need, and for the safety of students and staff, ALL visitors should register immediately upon entering any school building or grounds. Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of
their visit. Students from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form should include spaces for the following information
- Name;
- His/her purpose for entering school grounds;
- Destination within the school
- Time in and out

At his/her discretion, the principal, office manager or designee may also request
- proof of identity
- address
- occupation and company affiliation
- age (if less than 21); and any other information consistent with law.

Parents and guardians visiting during the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log or a special log for parents. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child’s classroom.

Aspire employees from school campuses and the Home Office are strongly encouraged to notify the office manager and principal upon arrival and should wear badges signifying that they are Aspire employees. However, formal visitor registration is at the discretion of the school principal or designee.

VIP Visitors accompanied by any Aspire management team member (Vice-President level and above only) may be requested to register as a visitor at the discretion of the accompanying Aspire management team member.

Students not enrolled at the school who wish to use the school grounds for recreation during the school day are, at the discretion of the principal, also subject to Aspire’s visitor policy.

The principal or designee may refuse to register any visitor if he or she reasonably concludes that the visitor’s/outsider’s presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

The principal or designee may request that a visitor/outsider who has failed to register, or whose registration privileges have been denied or revoked, to promptly leave school grounds. If necessary, the principal or designee may call the local police to enforce the departure of the visitor/outsider. When a visitor/outsider is directed to leave, the principal or designee shall inform the visitor/outsider that if he or she reenters the school within seven (7) days, he or she will be guilty of a misdemeanor and subject to a fine and/or imprisonment. (Penal Code 627.7).

All schools shall inform parents annually about the school’s policies regarding visitors/outsiders, and remind parents that to maximize safety and security they should also register when visiting the school.
This visitor/outside policy is subject to the further terms and conditions contained in Aspire’s Registered Sex Offender Policy, set forth below.

**Fingerprinting Policy**
For the protection of students, California State law requires criminal background checks for all public school employees, as well as any individual working alone with minors in a school setting. In most cases, fingerprinting is completed with a “Live Scan” machine which takes an electronic picture of the fingerprints (rather than using an ink pad). The fingerprints are then compared to the Federal Bureau of Investigations (FBI) and/or Department of Justice (DOJ) databases.

*Who should be fingerprinted*
All new school site employees must be fingerprinted and cleared before they begin work. Individuals who were previously fingerprinted when they worked in another school district must be fingerprinted again to ensure that Aspire is notified if the person subsequently commits a felony or misdemeanor.

In addition, any volunteers who have the occasion to be alone with an Aspire pupil while not in the presence of a credentialed Aspire employee must receive fingerprint clearance prior to volunteering on campus. Volunteers do not have to be fingerprinted only if they are working under the direct and continual supervision of a credentialed school employee in the same room, and will have no occasion to be alone with an Aspire pupil. This policy also applies to parents/guardians of Aspire students who volunteer at the school and may have the occasion to be alone with an Aspire pupil other than their own child.

The actual background check depends on the individual’s residency history. If the individual has resided in the state of California for more than 5 years, only DOJ check is required. If the individual has resided in the state of California for less than 5 years, DOJ and FBI checks are both required.

Note that most DOJ background checks take less than seven days, sometimes more. FBI background checks take considerably longer. Individuals who wish to work or volunteer at Aspire schools should plan to get fingerprinted as quickly as possible to avoid delays in commencing work or volunteer activities.

*Who pays for fingerprinting*
Aspire pays for Live Scan (fingerprinting) services for employees, using school general funds. Volunteers are requested to cover the cost of their own fingerprinting. If a potential volunteer is not able to pay for such fingerprinting, then the cost of the fingerprinting may be paid by the school’s booster club. If that entity does not have funds available, the cost will be paid by Aspire Home Office.

Please see complete Fingerprinting Policy & Procedure for specific details about how to get fingerprinted.

**Registered Sex Offender Policy**
For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, principals and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of an Aspire school, or otherwise may be likely to attempt to visit an Aspire school for any reason whatsoever.
In accordance with “Megan’s Law”, the principal or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General’s Megan’s Law website, found at http://meganslaw.ca.gov. (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

Aspire and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the principal or designee may, on a case-by-case basis, notify staff, including but not limited to, campus supervisors, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the principal or designee informs any staff member of the information about a registered sex offender, the principal or designee shall also inform the staff member of the following:

a) Aspire schools will share public registered sex offender information with staff members of a particular school to assist in identifying a danger;

b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and

c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the principal or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the principal or designee. When the principal or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the principal, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the principal or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

a) To establish a positive, cooperative working relationship to the extent possible;

b) To discuss the incident(s) leading to the registration requirement, (Aspire recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of Aspire);

c) To explain the limitations placed upon the parent’s/guardian’s participation in school programs, activities or visits, as specified in this policy;

d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required;

e) To develop joint strategies with the parent/guardian for “normalizing” the educational experience of his/her children to the fullest extent possible; and
f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent’s/guardian’s ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event, it may be held at a location within the principal’s or designee’s discretion. If this meeting with the parent is not held, the principal or designee shall notify the parent/guardian in writing of the information contained in this policy. Aspire recognizes the following rights of the parent/guardian to participate in his/her child’s education:
   a) To transport his/her child to and from school;
   b) To attend regularly scheduled parent conferences with the teacher, principal or other school official; and
   c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights, and to that end, a registered sex offender shall not:
   a) Serve as a school or class volunteer;
   b) Act as a chaperone on a school field trip;
   c) Be in the presence of children for any reason other than for the parent rights stated herein; and
   d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan’s Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least $500 and not more than $1000.

**EMERGENCY PREPAREDNESS**

Every school should have emergency preparedness procedures readily on hand, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.
Drills
It is the principal's responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Office Manager may be asked to help out. Those drills are:

- **Fire Drill:** At least once per quarter, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- **Civil Defense Drill:** A Civil Defense Drill should be conducted at least twice each school year following the (school's or Aspire's) Civil Defense Procedure.
- **Earthquake Duck & Cover Drill:** This drill should be performed twice per school year.
- **Major Disaster Drill:** This drill should be performed twice per school year so personnel are oriented to the (School or Aspire) Major Disaster Plan.

Civil Defense Procedures
Civil defense procedures are established to promote the safety of children and adults during a period of civil emergency. The local Civil Defense and Disaster Council is responsible for coordinating disaster planning among the cities in your area. It is through this coordination that information and warning notifications are communicated. An Emergency Warning System, which includes sirens strategically positioned throughout the school's county, becomes the major Civil Defense alarm.

In addition, schools will receive warning through telephone communications from the local county office.

Alert Signals
The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster.

**At the sound of the “Alert” signal:**
- All students in transit between classrooms, in restrooms, etc., will walk to their assigned classrooms.
- Children on the playground or library will return to their assigned classrooms.
- Each teacher will stay in the classroom with his/her students.
- Each custodian will report to the school office for instructions.

**At the sound of the “Take Cover” signal:**
- Students will position themselves under desks or tables.
- Students on the playground or out of doors will drop, face down on the ground.
- Open all doors; leave windows as they are.
- The teacher should be ready with stories, songs, guessing games, etc., in case of an extended waiting period.

**At the “All Clear” signal:**
- Children will resume their regular class activities.
- When a building is unsafe to resume classroom instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
If an evacuation is found necessary, the principal will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

Staff Responsibilities
In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

Principal
➢ Sound appropriate alarm to evacuate building (fire drill) or take cover within the building (civil defense).
➢ Following fire drill procedures, check the building to ensure that all students, personnel and visitors have evacuated the building.
➢ Provide for administration of first aid and request other emergency assistance as needed.
➢ Keep the Home Office and your local county office informed and, if necessary, set up a telephone communications at a nearby residence or business.
➢ Give directions to police in search clearing procedures and take full responsibility for search.
➢ Coordinate supervision of students and all clean-up or security efforts.

Teachers
➢ Carry out appropriate emergency procedures to ensure the safety and welfare of students.
➢ Supervise children and maintain calm and order.
➢ Make sure you have access to the classroom copy of the students’ emergency cards.

Office Manager
➢ Assist and take direction from the principal.
➢ Make sure first aid supplies are handy in case they are needed.
➢ Carry out other duties as assigned.

Custodial Engineers
Shut off the valves for gas, water, electricity and air conditioning (if necessary).
Open all gates and doors to assembly and exit areas.

Aides, Volunteers and Other Adults
Should assist teachers working with students to keep them safe, orderly and comfortable.
Be on call for Administrators’ requests.

Community Council
In advance of emergencies, the Community Council should ensure the following emergency supplies are stored:

A. Student Emergency Packets (1 per student)
2 quarts of water
Solar blanket
Food for two days
Note from parents with emergency instructions
B. School Emergency Supplies:
First aid kits
Flashlights
Batteries
Radios
Megaphone
Walkie-talkies

Emergency Procedures
All classrooms should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

1. Principal assesses the situation.
2. Principal notifies all staff members of the emergency via PA, fire alarm, and/or megaphone.
3. Assigned person calls 911.
4. Assigned person notifies APS headquarters.
5. Principal or assigned person meets with emergency crews.
6. Assigned person(s) ensures all classrooms, hallways and restrooms on first floor are empty after escorting students to assigned location.
7. Assigned person(s) ensures all classrooms, hallways and restrooms on second floor are empty after escorting students to assigned location.
8. Assigned person(s) ensures the cafeteria and gym are empty.
9. Assigned person(s) greet, organize and comfort students outside the building.
10. Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Principal.
11. Assigned person(s) will direct students who need first aid to an assigned location.
12. Principal determines, in consultation with the emergency crews, whether to release students to their homes or to return students to classes and makes announcement via megaphone.
13. If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
14. All classroom teachers will ensure that students are released to guardians’ care.
15. In the case that counseling services are subsequently needed by any students, the Principal and an assigned person will coordinate that effort.
16. In the case that media coverage is an issue, Principal and an assigned person will control and organize press releases and media requests.

First Aid
The First Aid area should be located at an assigned place and properly stocked at all times. The First Aid team will consist of individuals assigned by the principal or designee.

DISASTER PLANS
Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom.
Fire
1. Principal, custodians and/or office manager will determine the location of the fire.
2. Office manager will phone 911, picks up emergency card binder and student medication and leaves the building prepared to phone parents of any injured child.
3. Custodian or principal will sound the fire alarms.
4. Staff will follow emergency procedures previously described.
5. Students should leave the room in a single file, walk briskly but carefully, and stay in their class group when they reach their designated spot.

Earthquake
If indoors:
1. All drop down to the floor and duck and cover.
2. Turn away from windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover and be prepared to move with it.
5. Hold the position until the ground stops shaking.
6. When initial shaking stops, principal or office manager sounds alarms to evacuate the building.
7. Staff to follow emergency procedures previously described.

If outdoors:
1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Be prepared to duck and cover again due to after shocks.
5. Staff to follow emergency procedures previously described.

Flood/ Severe Weather
Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

The principal will assess the situation and make an announcement over the PA or megaphone to A) evacuate, B) stay in classes or C) release students to go home.
See emergency procedures previously described for evacuation directions.

Electrical Failure
1. Principal and/or custodian notify the electrical company (PG&E) at 800-743-5000.
2. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.

Gas Line Break
1. Principal and/or custodian notify PG&E.
2. Principal and/or custodian notify the Fire Department.
3. Staff to follow the emergency procedures previously described.
Water Main Break
1. Principal and/or custodian notifies the water department.
2. Custodian shuts off water.
3. Principal or notifies the police.
4. Principal determines if it is necessary to follow the emergency procedures on page 6 to evacuate students and staff.

Water Contamination
1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify school office and APS headquarters.
3. Have custodian turn off pressure to drinking fountains and sinks.

Chemical Spill/Incident
If Indoors:
1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Head Custodian of the incident - contact 911 if necessary.
4. Head Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:
1. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated.
2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

Lockdown/Shooting Incident
If a shooting takes place the first priority is to shelter students and staff. On hearing shots or an announcement from Principal:
1. Teachers close and lock all classroom doors and windows immediately.
2. Teachers take roll.
3. Teachers calmly direct students to duck under their desks.
4. Principal calls 911.
5. Principal assigned person ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom or office.
6. Office personnel close and lock all office doors and windows immediately.
7. Nobody leaves their secure sites until emergency crew members escort them to safety.
8. Assigned person(s) will control and organize media.
9. Assigned person(s) will ensure that counseling services are available as soon as possible.
Bomb Threat
There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:
1. Notify Principal immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

If there is a citing of a suspicious object, the person would:
1. Notify Principal immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal and emergency crews.

In all cases:
1. If Principal determines to evacuate, staff follows emergency procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal and the emergency crew chief. Follow all emergency crew and bomb squad directives.
4. Use radios, walkie-talkies and phones only if absolutely necessary as the frequencies may set off the bomb(s).

Explosion
If indoors:
1. All drop down to the floor and duck and cover.
2. Turn away from the windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms of hold to the cover.
5. Hold the position until directed to the building.
6. Staff to follow the emergency procedures previously described.

If outdoors:
1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Staff to follow emergency procedures previously described.

Death/Suicide
1. Principal will be notified in the event of a death or suicide on campus.
2. Assigned person(s) will phone 911.
3. Assigned person(s) will phone APS headquarters.
4. Principal will notify teachers to keep students in their classrooms until informed otherwise.
5. Assigned person(s) will control and organize media.
6. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
7. Assigned person(s) will ensure that counseling services are available as soon as possible.

**Intruders/ Vicious Animals**
1. Call the school main office and office staff will check out the situation and take appropriate action (i.e., contact Police or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom doors and windows, move away from windows, draw curtains, remain silent.
5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or police/animal agency.

**SCHOOL UNIFORMS**
Aspire policy requires all students at Aspire schools to wear uniforms, beginning in the 2011-12 school year. Aspire Public Schools is committed to creating a culture of academic rigor in our schools. A uniform dress code encourages this atmosphere. Implementation of this policy will reduce distractions and disruptions caused by clothing, make economic disparities between students less obvious, minimize the use of clothing to signal gang affiliation and other risks to student safety, and promote student achievement and create an orderly learning environment.

- **Uniform selection**: The specific uniform (i.e. colors and other specifications) will be determined by the school site with consideration for feeder schools.
- **Support for needy families**: Each school will designate philanthropy or general funds to support families who may need assistance in meeting the uniform requirements.
- **Exceptions**: Because Aspire schools are schools of choice, there will be NO exemptions for students.

**STUDENT DISCIPLINE**
Aspire believes that one of the major functions of education is the preparation of youth for responsible citizenship. Aspire shall foster a learning environment that reinforces self-discipline and the acceptance of personal responsibility. In addition, Aspire shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide Aspire schools and personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in Aspire charter petitions, the policies and procedures for suspension and expulsion of Aspire students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.
These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability.

**Discipline in General**
Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:
- Relocating the student’s desk to a different part of the classroom;
- Assigning different or additional work appropriate to the infraction;
- Utilizing a peer mediation or student conflict resolution program;
- Individual conversation with the classroom teacher about behavior and consequences;
- Utilizing a written referral framework;
- Designating selected classrooms and teachers (typically, lead teachers or advisors) as places for “time out”;
- Referring students to the principal or a designee;
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention;

All Aspire employees will report unmanageable or unusual behavior of students to the school principal or designee as soon as possible. The school principal or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

**Suspension**
Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons. A suspension does not mean any of the following:
1. Reassignment to another class at the same school where the student will receive continuing instruction for the school day.
2. Referral to an advisor assigned that role by the Principal.

While on suspension from school, the student is not to loiter on or about any school grounds at any time, nor to attend any Aspire activity at any time, no matter where such activity may be taking place. Violation may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means have not been successful or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.

**Authority to Suspend:**
1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The Superintendent or his/her designee may extend a student’s suspension pending final decision by the Aspire Board of Directors – Executive Committee (“Aspire Executive Committee”) on a recommendation for expulsion.
4. A student who is being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Aspire Executive Committee on a recommendation for expulsion.

A pupil may not be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance occurring within a school under the jurisdiction of the Chief Executive Officer or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.
- During, or while going to or coming from, a school sponsored activity.

**Grounds for Suspension and Expulsion**

The following information is provided in order to provide uniformity within Aspire in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion and require police notification for the grade levels indicated:

- **Physical Injury:** Caused, attempted to cause, or threatened to cause physical injury to another person (Ed. Code 48900(a)) or willfully used force or violence upon the person of another, except in self-defense. (Ed. Code 48900(a)) Notification to police required for students in grades K-12.

- **Weapons, Explosives, Dangerous Objects:** Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (Ed.Code 48900(b)) Notification to police required for students in grades K-12.

- **Controlled Substances/Alcohol:** Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (Ed.Code 48900(c)) Notification to police required for students in grades K-12.

- **Substances in Lieu of Controlled Substances:** Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (Ed.Code 48900(d)) Notification to police required for students in grades K-12.

- **Robbery or Extortion:** Committed or attempted to commit robbery or extortion. (Ed.Code 48900(e)) Notification to police required for students in grades K-12.

- **Damage to Property:** Caused or attempted to cause damage to school property or private property. (Ed. Code 48900(f)) Notification to police required for students in grades K-12.

- **Theft of Property:** Stole or attempted to steal school property or private property. (Ed. Code 48900(g)) Notification to police required for students in grades 4-12.

- **Tobacco:** Possessed or used tobacco, or any product containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products. (Ed.Code 48900(h))

- **Obscenity/Profanity:** Committed an obscene act or engaged in habitual profanity or vulgarity. (Ed.Code 48900(i))
- **Drug Paraphernalia**: Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Ed.Code 48900(j)) Notification to police required for students in grades K-12.
- **Disruption/Defiance**: Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties. (Ed.Code 48900(k)) Notification to police required for students in grades K-12.
- **Received Stolen Property**: Knowingly received stolen school property or private property. (Ed.Code 48900(l)) Notification to police required for students in grades 4-12.
- **Imitation Firearm**: Possessed an imitation firearm. (Ed. Code 48900(m)) Notification to police required for students in grades 4-12.
- **Definition of Imitation Firearm**: A replica of a firearm that is so substantially similar in physical properties to an existing firearm to lead a reasonable person to conclude that the replica is a firearm. (Ed.Code 48900(m))
- **Sexual Assault/Sexual Battery**: Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (Ed.Code 48900(n)) Notification to police required for students in grades 4-12.
- **Definition of Sexual Assault**: Includes rape, various types of sexual abuse, and lewd and lascivious conduct. (Penal Code 261, 266c, 286, 288, 288a, 289.)
- **Definition of Sexual Battery**: The touching of an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse. (Penal Code 243.4.)
- **Harassment of Witness**: Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (Ed.Code 48900(o))
- **Sexual Harassment**: Committed sexual harassment. (Ed.Code 48900.2)
- **Definition of Sexual Harassment**: An act which, upon review of a reasonable person of the same gender as the victim, is determined to be sufficiently severe or pervasive so as to cause negative impact on one’s academic performance or to create an intimidating, hostile or offensive educational environment. Notification to police required for students in grades 4-12.
- **Limitation**: Sexual harassment must be unwelcomed by the recipient in order to constitute a violation of Education Code 48900.2.
- **Limitation**: Only students in grades 4-12 are subject to suspension for sexual harassment.
- **Hate Violence**: Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. (Ed.Code 48900.3) Notification to police required for students in grades K-12.
- **Definition of Hate Violence**: The use of force or threat of force to intimidate a person in the exercise of a constitutional or statutory right, or damage or destruction of property for the purpose of intimidating or interfering with a person because of that individual’s “race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.”
- **Intentional Harassment**: Created a hostile educational environment (Ed.Code 48900.4)
- **Definition of Intentional Harassment**: Engaging in harassment, threats or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting a classroom, creating substantial disorder, and invading the rights of the students or group of students by creating an intimidating or hostile educational environment.
- **Terrorist Threats Against School Officials and/or Property**: Committed a terroristic threat against school officials, school property or both (Ed.Code 48900.7)
  - **Definition of Terrorist Threat**: Includes any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in:
• death
• great bodily injury to another person, or
• property damage in excess of one thousand dollars ($1,000.00),
• with the specific intent that the statement is to be taken as a threat, even if there is no
  intent of actually carrying it out, which, on its face and under the circumstances in which
  it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the
  person threatened a gravity of purpose and an immediate prospect of execution of the
  threat, and thereby causes that person reasonably to be in sustained fear for:
  • his or her own safety,
  • his or her immediate family’s safety,
  • the protection of school property, and/or
  • the personal property of the person threatened or of his or her immediate family.
• **Electronic Signaling Device**: Possessed electronic signaling device, including cell phones and pagers
  while on school grounds while attending school sponsored activities or while under the supervision and
  control of school employees (Ed. Code 48901.5)
• **Hazing**: Engaged in hazing activities or any act that causes or is likely to cause personal humiliation or
disgrace (Ed.Code 32050-32052)
• **Vandalism/Malicious Mischief**: Defaced, damaged or destroyed any school property including, books,
supplies of all kinds, equipment, buildings and grounds.
• **Note**: Parents can be held financially liable for damages up to $10,000 and shall also be liable for the
  amount of any reward not exceeding $10,000 pursuant to Section 53069.5 of the Government Code
  (Ed.Code 48904).

See complete Suspension/Expulsion Policy and Procedures for steps taken in cases requiring suspension and appeals process.

**Expulsion**

Expulsion is the involuntary removal of a student from all schools and programs of Aspire for an extended
period of time for acts of specified misconduct. Except for single acts of a grave nature, expulsion is used
only when there is a history of misconduct, when other forms of discipline, including suspension, have
failed to bring about proper conduct, or when the student’s presence causes a continuing danger to other
students. Final action is only taken by vote of the Aspire Board of Directors – Executive Committee
(“Aspire Executive Committee”).

In the event that a student is recommended for expulsion from Aspire, he or she is entitled to a hearing and,
among other things, advance written notice of the rights and responsibilities enumerated in Education Code
section 48918. Written notice of these due process rights shall be provided at least 10 days in advance of
the date set for the hearing. (Ed. Code 48918)

Expulsion proceedings for a currently identified student require additional due process procedures. Aspire
will follow all due process procedures for Special Education students included in this document and in the
Education Code.

While under expulsion, a student cannot enroll in another California school district without approval of that
district’s Board of Education. Certain expelled students may enroll only in Juvenile Court Schools, County
Community Schools, or District operated Community Day Schools (AB922) during the duration of the
expulsion.

The Aspire Executive Committee, upon voting to expel a pupil, may suspend the enforcement of the
expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of
enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil’s parent or guardian in his or her child’s education in ways that are specified in the rehabilitation program. A parent or guardian’s refusal to participate in the rehabilitation program shall not be considered in the Aspire Executive Committee’s determination as to whether the pupil has satisfactorily completed the rehabilitation program. (Ed. Code 48917)

Expellable Offenses:

C. Category I – Mandatory Expulsion
Under the mandatory provisions of Education Code 48915(c), a student who has committed one or more of the following acts must be recommended for expulsion and the Aspire Executive Committee must expel the student.
- Possessing, selling or otherwise furnishing a firearm when an Aspire employee verified firearm possession,
- Brandishing a knife at another person,
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, or
- Committing or attempting to commit a sexual assault or committing sexual battery

D. Category II – Mandatory Recommendation for Expulsion
Under the mandatory provision of Education Code 48915(a), a student who has committed one of the following acts of misconduct must be recommended for expulsion unless particular circumstances render it inappropriate.
- Causing serious physical injury to another person, except in self-defense;
- Possession of any knife, explosive, or other dangerous object of no reasonable use to the student;
- Unlawful possession of any controlled substance listed in Chapter 2 (Commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;
- Robbery or extortion;
- Assault or battery upon a school employee.

E. Category III – Expulsion May Be Recommended
In accordance with Education Code 48915 and by direction of the California Board of Education, a student may be considered for expulsion for committing any act not listed in Category I or II and enumerated in Education Code sections 48900, 48900.2, 48900.3, 48900.4, or 48900.7.

Note: The Aspire Executive Committee’s decision to expel a student for violations included in Categories II and III must be based on a finding of one or both of the following:
1. Other means of correction are not feasible or have repeatedly failed to bring about the proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. (Ed. Code 48915(b) and 48915(e).)

Note: If the Discipline Review Board chooses not to recommend the expulsion of the student, Aspire may, at its discretion, impose a lesser form of disciplinary action which may include assigning the student to another school or program.
See complete Suspension/Expulsion Policy and Procedures for procedures in cases involving expulsion, requiring the extension of suspension and/or expulsion, and the appeals process.

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Aspire Public Schools ("Aspire") is committed to providing a cooperative and comfortable work and education environment free of discrimination and harassment of any kind. Accordingly, Aspire forbids discrimination against any employee, applicant for employment, or student, on the basis of sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability. Aspire will not tolerate discrimination or harassment activity by any of its employees, non-employee volunteers, or any other person subject to the control of school authorities. Furthermore, all programs and activities at Aspire shall be free from discrimination and harassment with respect to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability.

This policy is intended to be consistent with, and intended to be, enforced in conformity with the California Fair Employment and Housing Act and Title VII of the Civil Rights Act of 1964, which prohibits harassment in the workplace, as well as multiple sections of the Education Code.

Students
All students shall have equal opportunities in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral and cheerleading groups shall be determined solely on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Aspire schools may provide girls and boys with separate shower rooms and sex education classes in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards should be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in Aspire. Staff shall be alert and immediately responsive to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed or discriminated against should immediately contact the principal or designee. The student and/or parent may file a complaint verbally or in writing under Aspire's "Discrimination/Harassment Student/Parent Complaint Procedure." Upon receipt of a harassment complaint the Chief Executive Officer or designee will be notified. Complaints of harassment will be investigated immediately according to the procedures set forth in Aspire's "Discrimination/Harassment Student/Parent Complaint Procedure."
Aspire’s “Anti-Discrimination and Anti-Harassment Policy” and the “Discrimination/Harassment Student/Parent Complaint Procedure” will be reviewed with students at the beginning of each school year, either in the classroom or in student assemblies.

At the start of each school year, this policy will be mailed to parents/guardians.

**Employees – Sexual Harassment**

Aspire forbids discrimination against any employee, applicant for employment, or student, on the basis of sex. Aspire will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers or any other person subject to the control of school authorities.

**A. Definitions**

(1) Conduct of a Sexual Nature - Conduct of a sexual nature may include, but is not limited to, verbal, visual or physical sexual advances, including subtle pressure for sexual activity; touching, staring, looking up and down, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; sexually-oriented "kidding," "teasing," double-entendres, explicit or suggestive messages, cartoons, pictures and jokes, and any harassing conduct to which an employee would not be subjected but for such employee's sex.

(2) Unwelcome Conduct of a Sexual Nature.

(a) Verbal, visual or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.

(b) An employee who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

(c) Aspire prohibits any conduct of a sexual nature directed toward students by teachers or others to whom this policy applies, and shall presume that any such conduct is unwelcome.

**B. Sexual Harassment Prohibited**

(1) For the purposes of this policy, unwelcome sexual advances or requests for sexual favors, and other unwelcome conduct of a sexual nature, constitute prohibited sexual harassment if:

(a) Submission to the conduct is made either an explicit or implicit condition of employment (as an illustration, and not as a limitation, where a person’s continued employment is conditioned upon or impacted by prohibited sexual-based factors);

(b) Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; and

(c) The conduct substantially interferes with an employee’s or student’s performance, or creates an intimidating, hostile, or offensive work or school environment, regardless of whether the employee’s continued employment or compensation is affected.

(2) Specific Prohibitions--Administrators and Supervisors.

(a) It is sexual harassment for a manager or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit
will result in adverse treatment, or when the subordinate’s acquiescence will result in preferential treatment.

(b) Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.

(3) Specific Prohibitions—Non-managerial and Non-supervisory Employees: It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.

(4) Specific Prohibitions—Employees and Students: It is sexual harassment for an employee to subject a student to any conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions.

C. Reporting, Investigation, and Sanctions

(1) It is the express policy of Aspire to encourage victims of sexual harassment to report such claims. Aspire understands that victims of harassment are often embarrassed and reluctant to report acts of harassment for fear of being blamed, concern about being retaliated against, or because it is difficult to discuss sexual matters openly with others. However, no employee of Aspire should have to endure harassing conduct, and therefore the School encourages everyone to promptly report any incidents of harassment so that corrective action can be taken.

(a) Employees who feel that their superiors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator. If the employee’s direct administrator or supervisor is the offending person, the report shall be made to the next higher level of authority.

(b) Employees are also urged to report any unwelcome conduct of a sexual nature by superiors or fellow employees if such conduct interferes with the individual’s work performance, or creates a hostile or offensive working environment.

(c) Students are urged to report any conduct of a sexual nature by school employees or others to whom this policy applies to a school counselor or administrator.

(2) Every reported complaint of harassment will be investigated promptly and thoroughly by Aspire. Typically the investigation will include interviewing the complainant, anyone who may have knowledge of the alleged harassment, and the alleged harasser. Once the investigation is completed, Aspire will notify the complainant of the results of the investigation. Aspire will make every effort to handle the investigation in as confidential a manner as possible consistent with a thorough, fair and proper investigation. Aspire will not tolerate reprisals or retaliation against anyone as a result of the good-faith reporting of charges of sexual harassment.

(3) In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred have to be investigated.

(4) Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination. Conduct of a sexual nature directed toward students shall be reported as child abuse for investigation by appropriate law enforcement and/or other authorities.

D. Filing Complaints with State and Federal Agencies

In addition to notifying Aspire of harassment or retaliation, aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including the United States Equal
Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH), which have authority to conduct investigations of facts. Aggrieved parties are advised that statutory deadlines apply for the tender of complaint to either the EEOC and/or the DFEH and that if complaints are not timely filed they may be barred by law. If the EEOC and/or the DFEH believe that a complaint is valid and settlement efforts fail, aggrieved parties may seek an administrative hearing. Aggrieved parties may also be entitled to file a lawsuit in Federal or state court. Administrative agencies and the courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest EEOC or DFEH office at the locations listed on Aspire’s employment law poster or by checking the state government listings in the local telephone directory.

**Employees – All Other Kinds of Discrimination or Harassment**
Prohibited harassment on the basis of race, ethnic group, color, national origin, ancestry, religion, physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or any other protected basis, includes behavior similar to sexual harassment, such as:
- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

**Complaint Procedure**
Aspire’s complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit.

Employees who believe they have been harassed on the job, or who become aware of the harassment of others are encouraged to inform the offender that this behavior is unwelcome. They should also immediately provide a written or verbal complaint to your supervisor, manager, Human Resources, or any other member of management as soon as possible. The complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.).

All incidents of prohibited harassment that are reported will be investigated. Aspire will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser(s).

If Aspire determines that prohibited harassment or other conduct that violates an Aspire policy has occurred, the organization will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken. Whatever action is taken against the wrongdoer will be communicated to the employee who complained. Applicable law prohibits retaliation against any employee who complains of prohibited harassment or who participates in an investigation.
Liability for Harassment
Any employee of Aspire, whether an employee, supervisor, or manager who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including immediate discharge from employment. Any employee who engages in prohibited harassment, including any supervisor or manager who knew about the harassment but took no action to stop it, may be held personally liable for monetary damages. Aspire does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one’s duties. Accordingly, to the extent permitted by law, Aspire reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

PREVENTION OF CHILD ABUSE POLICY
Aspire is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

Reporting Suspected Abuse/Neglect
While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children’s Protective Services, Aspire’s child care custodians (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care custodian of Aspire must sign a “Child Abuse Reporting” form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

See complete Prevention of Child Abuse Policy and Procedure for specific steps regarding the reporting of suspected abuse and neglect.

Reporting Problems at the School Site
Aspire maintains zero tolerance for abuse. Every member of any Aspire community must participate actively in the protection of its students.

All Aspire schools will monitor the school buildings and grounds:
• All unused rooms, storage areas, and closet doors should be kept locked at all times;
• all unused buildings and areas must be designated, posted and enforced as off-limits to children;
• all students are required to remain in areas that are easily viewed by employees;
• Interior doors should be left open and unlocked when rooms are in use
• Blinds should be left open to allow informal monitoring by a passerby.

In the event that any current or future Aspire employee observes any suspicious or inappropriate behaviors on the part of any third party or other employee while on any Aspire premises, he or she is required to immediately report their observations to the principal or designee. Examples of suspicious or inappropriate behaviors include, but are not limited to:
• policy violations,
• neglectful supervision,
• “private time” with students,
• taking students off premises without adhering to procedures,
• buying unusual gifts for children and youth,
• swearing or making suggestive comments to students,
or any other conduct as identified in this policy, or which is inappropriate or illegal in the eyes of the observer.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The principal or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution.

Aspire will cooperate with any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

Employee Conduct With Students
All Aspire employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all Aspire employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

Alcohol, Tobacco, and Controlled Substances
All Aspire employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

Transportation of Students
Aspire employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;
b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;
c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;
d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;
e) Drivers who are assigned to transport students must be at least 21 years old and must abide by standards related to insurance and other legal requirements;
f) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and

g) Whenever possible, two Aspire employees should collectively engage in the transportation activity.
Language
Employees will not speak to students in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees are to refrain from swearing in the presence of students. Employees are cautioned against initiating sexually oriented conversations with students, except in the context of Aspire’s health education or advisory curriculum. Employees are not permitted to discuss their own sexual activities with students.

Gifts
Money will not be given to students. Gifts will not be given to individual students, except as an award related to a previously announced academic competition; or as a group award given to all participants in celebration of classroom or school accomplishment or special event.

Attire
Employees must be appropriately and professionally dressed in presence of students. Each school may adopt its own dress code for employees and employees will be expected to follow that code.

Behavior
One-to-one counseling with students will be done in a public place insofar as possible, where private conversations are possible but occur in full view of others.

Employees will refrain from intimate displays of affection towards others in the presence of students, parents, and other personnel.

Employees are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc) on school grounds or in the presence of students.

Physical contact with students
Some forms of physical contact between adults and children are appropriate and that other forms are inappropriate, illegal, or have been used by adults to initiate inappropriate or illegal contact with children.

Appropriate physical contact between employees and students include, but are not limited to:

- Handshakes;
- “High Fives” or hand slapping;
- briefly touching tops of heads, shoulders or upper back in acknowledgement, congratulation or consolation;
- brief sideways hugs; and
- holding hands while walking with small children.

Inappropriate physical contact between employees and students include, but are not limited to:

- full body hugs or lengthy embraces;
- kisses;
- holding small children on the lap;
- touching bottoms, chests, knees, legs, , and/or genital areas;
- showing affection in isolated or private areas;
- sleeping with a student;
- wrestling with students;
- tickling students;
- piggyback rides;
- any type of massage;
- any form of unwanted affection; and/or
- any compliments that relate to physique or body development.

All Aspire employees are prohibited from using physical punishment in any way for behavior management of students. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting or any other physical force as retaliation or correction for inappropriate behaviors by students. Other prohibitions include, but are not limited to,
- isolation except as needed for the child to gain self-control (and then only under the supervision of an adult, and no longer than 15 minutes),
- withholding food or water,
- degrading punishment,
- work assignments unrelated to a natural or logical consequence,
- excessive exercise,
- withholding access to contact with parents or guardians,
- withholding or using medications for punishment,
- mechanical restraint such as rope or tape to restrict movement, or
- any type of physical restraint.
APPENDIX K

Evidence of Insurance Coverage
# Evidence of Coverage Bound

**Effective Date:** July 1, 2012 12:01 am  
**Expiry Date:** July 1, 2014 12:01 am

## Named Insured

Aspire Public Schools  
1001 22nd Avenue  
Oakland, CA. 94606

## Coverage Provided By

**Coverage Provider A:** California Charter Schools JPA  
**Coverage Provider B:** Travelers Insurance Company  
**Coverage Provider C:** Safety National Casualty Corporation  
**Coverage Provider D:** Scottsdale Insurance Company  
**Coverage Provider E:** Lloyds of London  
**Coverage Provider F:** Arch Insurance Company  
**Coverage Provider G:** Lexington Insurance

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1001 22nd Avenue
Oakland, CA 94606
1001 22nd Avenue, Oakland, CA 94606
Aspire 66th Avenue Project
1009 66th Avenue
Oakland, CA 94608
1009 66th Avenue, Oakland, CA 94608

Aspire Alexander Twilight College Preparatory Academy
2360 El Camino Avenue
Sacramento, CA 95281
2360 El Camino Avenue, Sacramento, CA 95281

Aspire Alexander Twilight Secondary Academy
2360 El Camino Avenue
Sacramento, CA 95281
2360 El Camino Avenue, Sacramento, CA 95281

Aspire Antonio Maria Lugo Academy
2665 Clarendon
Huntington Park, CA 90255
2665 Clarendon, Huntington Park, CA 90255

Aspire APEX Academy
444 N. American St
Stockton, CA 95202
444 N. American St, Stockton, CA 95202

Aspire Benjamin Holt College Preparatory Academy
3293 East Morada Lane
Stockton, CA 95212
3293 East Morada Lane, Stockton, CA 95212

Aspire Berkeley Maynard Academy
6200 San Pablo Avenue
Oakland, CA 94608
6200 San Pablo Avenue, Oakland, CA 94608

Aspire California College Preparatory Academy
2125 Jefferson Avenue
Berkeley, CA 94703
2125 Jefferson Avenue, Berkeley, CA 94703

Aspire Capitol Heights Academy
2520 33rd Street
Sacramento, CA 95817
2520 33rd Street, Sacramento, CA 95817

Aspire Centennial College Preparatory Academy
2079 Saturn Avenue
Huntington Park, CA 90255
2071 Saturn Avenue, Huntington Park, CA 90255

Aspire Clarendon Elementary School
6720 S. Alameda Street
Huntington Park, CA 90255
6720 S. Alameda Street, Huntington Park, CA 90255

Aspire College Academy
8030 Atherton Street
Oakland, CA 94605
8030 Atherton Street, Oakland, CA 94605
Aspire Downtown Stockton Preparatory Academy
444 N. American
Stockton, CA 95202
444 N. American, Stockton, CA 95202

Aspire East Palo Alto Charter School
1286 Runnymede Street
East Palo Alto, CA 94303
1286 Runnymede Street, East Palo Alto, CA 94303

Aspire East Palo Alto Phoenix Academy
1039 Garden Street
Palo Alto, CA 94303
1039 Garden Street, Palo Alto, CA 94303

Aspire ERES Academy
1936 Courtland Avenue
Oakland, CA 94601
1936 Courtland Avenue, Oakland, CA 94601

Aspire Firestone Academy
8929 Kauffman Avenue
South Gate, CA 90280
8929 Kauffman Avenue, South Gate, CA 90280

Aspire Gateway Academy
8929 Kauffman Avenue
South Gate, CA 90280
8929 Kauffman Avenue, South Gate, CA 90280

Aspire Golden State College Preparatory Academy
1009 66th Avenue
Oakland, CA 94621
1009 66th Avenue, Oakland, CA 94621

Aspire Huntington Park Charter School
6005 Stafford Avenue
Huntington Park, CA 90255
6005 Stafford Avenue, Huntington Park, CA 90255

Aspire Inskeep Academy
123 W. 59th Street
Los Angeles, CA 90003
123 W. 59th Street, Los Angeles, CA 90003

Aspire Junior Collegiate Academy
6720 S. Alameda Street
Huntington Park, CA 90255
6720 S. Alameda Street, Huntington Park, CA 90255

Aspire Langston Hughes Academy
2050 West Lane
Stockton, CA 95205
2050 West Lane, Stockton, CA 95205

Aspire Lionel Wilson College Preparatory Academy
400 105th Avenue
Oakland, CA 94603
400 105th Avenue, Oakland, CA 94603
Aspire Millsmont Academy
3200 62nd Avenue
Oakland, CA 94605-1614
3200 62nd Avenue, Oakland, CA 94605-1614

Aspire Monarch Academy
1445 101st Avenue
Oakland, CA 94603
1445 101st Avenue, Oakland, CA 94603

Aspire Pacific Academy
2565 58th Street
Huntington Park, CA 90255
2565 58th Street, Huntington Park, CA 90255

Aspire Port City Academy
2040 West Lane
Stockton, CA 95205
2040 West Lane, Stockton, CA 95205

Aspire Ollin Academy
2540 East 58th Street
Huntington Park, CA 90255
2540 East 58th Street, Huntington Park, CA 90255

Aspire River Oaks Charter School
1801 Pyrenees Avenue
Stockton, CA 95210
1801 Pyrenees Avenue, Stockton, CA 95210

Aspire Rosa Parks Academy
1930 South D. Street
Stockton, CA 95206
1930 South D. Street, Stockton, CA 95206

Aspire Slauson Academy
123 W. 59th Street
Los Angeles, CA 90003
123 W. 59th Street, Los Angeles, CA 90003

Aspire Summit Charter Academy
2036 E. Hatch Road
Modesto, CA 95351
2036 E. Hatch Road, Modesto, CA 95351

Aspire Tate Academy
123 W. 59th Street
Los Angeles, CA 90003
123 W. 59th Street, Los Angeles, CA 90003

Aspire Titan Academy
6724 South Alameda Street
Huntington Park, CA 90255
6724 South Alameda Street, Huntington Park, CA 90255

Aspire University Charter School
3313 Coffee Road
Modesto, CA 95355
3313 Coffee Road, Modesto, CA 95355
Aspire Vanguard College Preparatory Academy
5255 First Street
Empire, CA 95319
5255 First Street, Empire, CA 95319

Aspire Vincent Shalvey Academy
10038 Hwy 99 E. Frontage Road
Stockton, CA 95212
10038 Hwy 99 E. Frontage Road, Stockton, CA 95212

SCHEDULE OF VEHICLES

None Reported

TOTAL VEHICLE VALUES: $0
APPENDIX L

Instructional Guidelines (Pacing Guides)

Included in original submission.
Aspire Antonio Maria Lugo Academy

Addendum of Proposed Changes to Renewal Petition
for LACOE Appeal Submission
Assurances and Affirmations

On pg. 5, proposed change of the Lead Petitioner for Aspire Antonio Maria Lugo Academy (“AMLA”) to Kate Ford, Los Angeles Area Superintendent, for the purposes of the appeal submission to Los Angeles County of Education (“LACOE”).

At the time of submission of the renewal petition to Los Angeles Unified School District (“LAUSD”), Elise Darwish, Aspire Public Schools’ (“Aspire”) Chief Academic Officer, was serving as Interim Los Angeles Area Superintendent and thus was named Lead Petitioner. Kate Ford has since taken over as Aspire’s Los Angeles Area Superintendent and thus she will serve as Lead Petitioner for the LACOE submission, per standard Aspire. Kate Ford’s resume is Appendix A of this Addendum.

Kate Ford is based at the Aspire Los Angeles Regional Office, located at Aspire Centennial College Preparatory Academy in Huntington Park. Naming Kate Ford as Lead Petitioner will be mutually beneficial to both Aspire and LACOE because of her proximity and accessibility to the LACOE office.

Element 3: Method by which Pupil Progress Toward Outcomes will be Measured

In order to ensure that the renewal petition contains all required language pertaining to LCFF and LCAP, it is necessary to add the below language. Please note that though several of our authorizers have recently required the addition of this language to our charter petitions, LAUSD did NOT require the language during AMLA’s renewal process.

Beginning on pg. 47, insert changes to EC 47606.5 (Accountability – Annual Reporting):

“(a) On or before July 1, 2015, and each year thereafter, a charter school shall update the goals and annual actions to achieve those goals identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6. The annual update shall be developed using the template adopted pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the charter, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes to the specific actions the charter school will make as a result of the review and assessment.
(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1).

(b) The expenditures identified in subdivision (a) shall be classified using the California School Accounting Manual pursuant to Section 41010.

(c) For purposes of the review required by subdivision (a), a governing body of a charter school may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph 41010.3 of subdivision (a) of Section 52052 or any other reviews.

(d) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on a school accountability report card.

(e) The charter school shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.”

Also insert changes to EC 47607.3 (Accountability – Revocation):

“If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school’s pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:

(1) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the chartering authority shall provide technical assistance to the charter school.

(2) The Superintendent may assign, at the request of the chartering authority and with the approval of the state board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Section 52074.

(b) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (a) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(i) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.
(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(c) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school as the most important factor in determining whether to revoke the charter.

(d) A chartering authority shall comply with the hearing process described in subdivision (e) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section."

**Element 9: Annual Financial Audits**

On pg. 79, it is necessary to change the financial reporting deadlines to match the schedule outlined in Section 3.4 (Revenue and Expenditure Reporting) of LACOE’s MOU:

- Preliminary budget on or before July 1
- First Interim Report (expenditures through 10/31) on or before December 15
- Second Interim Report (expenditures through 1/31) on or before March 15
- Unaudited Actuals Report for the prior fiscal year on or before September 15

**Additional Appendix Items**

The below narrative and appendix provides additional information and clarification and does NOT require changes to the charter petition.

**Lease and Certificate of Occupancy**

In Section VII of the LACOE submission package you will find the sublease agreement between AMLA and Aspire Pacific Academy ("Pacific"), and the Certificate of Occupancy for the Pacific. AMLA is temporarily co-located with another Aspire school — Aspire Pacific Academy. AMLA was forced to move from its prior location (2665 Clarendon Avenue, Huntington Park, CA 90255) abruptly in the summer of 2013. Due to requests from the landlord that we teach concepts that were not aligned with California Education Code, Aspire was forced to end our lease early.

Because we were not able to find a suitable site for AMLA on such a short timeline, AMLA is temporarily subleasing from Pacific at 2565 E. 58th St, Huntington Park, CA 90255. This location allows us to serve our families, but required us to decrease enrollment. Aspire received permission from the City of Huntington Park to co-locate
AMLA with Pacific for 3 years and up to a 4th year if construction of a new site was in progress but not complete. Aspire invested in significant renovations at Pacific to keep students appropriately separate, accommodate kindergarten fixtures, and create separate secure entrances. We have included in Section VII the City of Huntington Park’s inspection card from July of 2013 signing off on these enhancements.

We are working aggressively to find a permanent facility for AMLA. We have secured State funding (Proposition 1D Award) to buy land and build a new facility for AMLA. We are working closely with a developer and have recently secured a site on which to build. Because of the State funding process, we anticipate either having the school ready by the 2015-16 or 2016-17 school year. Once the school moves, we will resume full enrollment of 360-384. We are happy to answer any questions about AMLA’s current facility or future plans.

**Governance**

For clarification of how governance operates at Aspire as a multi-state organization, we have included a one-page document that summarizes the roles of the Board of Directors and Senior Leadership Team. The summary also outlines public and parent engagement opportunities. This document is included as Appendix B of this Addendum.

**Student and Employee Handbooks**

Aspire has included the below two items in the Appendix because of reference to these documents as requirements of renewal petitions on Page 20 of LACOE’s AR 0420.4 (Charter Schools):

- Aspire Public Schools 2013-14 Student Family Handbook
- Aspire Public Schools Employee Handbook

The two handbooks are included as Appendix C and D of this Addendum respectively.
APPENDIX

A. Lead Petitioner Resume
B. Governance Summary
C. Student Family Handbook
D. Employee Handbook
APPENDIX A

Lead Petitioner Resume
Kate Ford

4241 Redwood Avenue #2311
Los Angeles, CA 90066

323-559-3339
kate.ford@aspirepublicschools.org

—The determination to succeed, the passion to inspire, and the expertise to lead—

Kate thrives as a leader in an educational environment that demands uncompromising values and is marked by a strong record of achievement.

Career Highlights:

- 20+ years as successful school leader, with outstanding results and accomplishments
- Extensive leadership experience in private, charter, and public schools
- Admiration and respect as an administrator and educator
- Fiscal and fiduciary expertise and responsibility
- Strong coaching and active listening skills
- Strong program management and strategic thinking skills
- Ability to work with a variety of local, state, and federal entities and grantees
- Excellent written and oral communication skills
- 13 years teaching experience in English, literature, and theatre arts
- Exemplary human relations skills and Spanish proficiency
- Effective use and support of technology

EDUCATION AND CREDENTIALS

Master of Arts: Curriculum and Instruction, Chapman University, 1988
Bachelor of Arts: Sociology, University of California, Santa Cruz, 1973
Diploma, Santa Barbara High School, 1969

Tier II CA Administrative Credential, University of Santa Clara, 1997
CA Administrative Credential, Chapman University, 1988
Lifetime Secondary Credential, CA: Social Sciences, 1974
Teacher Corps Certification, University of California, Santa Cruz, 1974

PROFESSIONAL LEADERSHIP EXPERIENCE

1/2014 – Present
Superintendent, Los Angeles Area
Aspire Public Schools
www.aspirepublicschools.org

- Oversees the performance and fiscal management of 12 charter schools located in the South LA, Huntington Park, and South Gate areas of Los Angeles
- Supports and evaluates twelve principals, as well as five other regional staff
- Cultivates strong relationships and communication with CDE, CCSA, LACOE, and LAUSD, in order to ensure compliance with all expectations and requirements
- Participates as a key member of the Aspire Senior Leadership Team
7/2011 – Present  Senior Program Officer
Bill and Melinda Gates Foundation  www.gatesfoundation.org

- Oversees the performance management and funding of a complex grant portfolio.
- Supports key partner charter management organizations, state departments, and other emerging work related to spreading lessons and cross-team collaboration.
- Cultivates strong relationships with state, district, and CMO leaders across a diverse, national grant portfolio.
- Provides clear, concise and insightful written analyses and recommendations for funding including drafting and editing proposal summaries and progress reports for existing grants for review by Foundation leadership.

8/2006 – 6/2011 Executive Director and Principal
Peabody Charter School, Santa Barbara, CA  www.peabodycharter.org

- Led Peabody Charter School to becoming a 2010 California Distinguished School, one of only eight elementary charter schools in the state.
- Created Preserve the Peabody Experience fundraising drive to offset the economic downturn and budget crisis. Raised $210K in 2010.
- Manages a K-6 school of 750 students, over 80 staff members, and a $5.5 million budget.
- Works closely with an autonomous school board made up of parents, community members, and certificated and classified employees.
- Provides guidance to other charter administrators and principals interested in charter conversion.
- Led Peabody Charter School to independence from Santa Barbara School District, which included revising the school charter, working with district and school officials to write and negotiate a new Memo of Understanding and Facility Use Agreement, achieving 501c3 nonprofit status, and establishing two employee bargaining units.
- Ensured stability and cohesiveness of staff and school community during transition and challenging economic times.

8/2001 – 7/2006 Executive Director and Principal
The Summit School of Ahwatukee, Phoenix, AZ  www.summitschoolaz.org

- Founding principal for this school: created policies, instructional program, curricular documents, handbooks, professional development, financial procedures, and marketing strategies.
- Increased enrollment from 75 to 360+ students in four years, from K-4 to K-8 school.
- Was instrumental in staffing, curricular revisions, and adherence to standards that led to school-wide SAT9 scores in the 80-95 percentile range.
- Shared responsibility for the creation of a three year technology plan and a fundraising program “Brick by Brick, the Road to the Future” to fund it.
• In 2004, implemented and staffed the middle school for grades 5-8, including curriculum, sports, social events, special competitions, service programs, and spring trips.
• Supervised staff and faculty of 60.
• After moving to Peabody Charter, served for three years as member of the Summit Board of Trustees.

8/1999 - 7/2001 Regional Vice President (Western Division)
Advantage Schools (a Charter for Profit Corporation), Boston, MA

• Supervised five school directors and monitored all school operations, and represented Advantage Schools to each Board of Trustees in Phoenix, AZ, and San Antonio, Houston, Dallas, and Midland, Texas.
• Represented Advantage Charter Schools, Inc. in various community and state events, including testifying before the Congressional Sub Committee on Charter Schools in Washington, D.C.
• Assisted in the application, development, and approval of a new charter school in New Orleans, Louisiana.
• Oversaw all local Phoenix Advantage School operations for student body of 900 and administrative staff of seven with the management company located in Boston, MA.
• Supervised staff and faculty of 65.

8/1993 - 7/1999 Principal, Castro Middle School (grades 6, 7, and 8)
Moreland School District, San Jose, CA

• Provided team leadership and wrote the final application when Castro was named a California Distinguished School in 1997.
• Increased student enrollment by over 35%.
• Created and implemented scheduling and staffing to provide a seven period day, integrated instruction, block scheduling (language arts/social studies and math/science), and increased opportunities for exploratory/elective programs.
• Achieved 25% improvement in SAT9 scores.
• Generated public support which led to the complete turn-around in the community perception of the school.
• Was instrumental in the design and implementation of R.O.P.E.s, the Rite of Passage Experiences for eighth graders- culminating research, writing, and presentation individual projects required for promotion to ninth grade.
• Oversaw a $7 million campus building renovation project while school was in session.
• Implemented programs to increase student motivation and fun such as the Principal’s Opinion Poll (P.O.P.), Odyssey of the Mind, spelling bees, and weekly trivia contests.

8/1989 - 7/1993 Principal and Vice Principal
Morada Middle School, Lodi Unified School District, Stockton, CA
• Constructed and implemented year-round 3-track staffing and schedule for middle school of over 600 students.
• Wrote and presented workshops in middle school writing instruction.
• Oversaw and expanded a professional support and learning program for 15 new teachers called New Teacher Project.
• Created a Saturday School to teach and reinforce the Vietnamese language and culture.
• Improved school safety and discipline by revising procedures and ensuring consistent application of handbook rules, district policy and state law.

PROFESSIONAL TEACHING EXPERIENCE

1986 - 1989  Teacher of language arts and reading, grade 8
Tenaya Middle School (public grades 6-8), Merced City School District, Merced, CA

  • Also coordinated and directed school talent shows, was a district leader in writing instruction, and taught first aid and family life to eighth graders.

1982 - 1986  Teacher of English and drama, grades 5-11
Laguna Blanca School (private K-12), Santa Barbara, CA

  • Also directed all school theatrical productions (3 per year), was advisor for school newspaper, took high school students on spring trips to New York and London, wrote press releases for school activities and accomplishments; assisted administration with special projects such as an evening film series, orientation/hosting of new teachers, and the school’s first scholarship program to increase ethnic and cultural diversity.

1979 - 1981  Teacher of English, Spanish, and music, grades 2-8
Marymount Academy (private K-8), Santa Barbara, CA

  • Also directed all theatrical productions, talent shows, and middle school social activities, including theatre field trip program.

1974 - 1978  Teacher of language arts, grades 9 and 11
Merced High School (public 9-12), Merced Union High School District, Merced, CA

  • Chosen to spend one year as part of three person team to create a bilingual program for the district (funded by federal grant)

AWARDS AND RECOGNITION

2014- Received the “Giraffe Award” (for innovation and risk taking as a senior program officer) from Vicki Phillips, Director of College Ready Programs, Bill and Melinda Gates Foundation
2009- Recognized as “Santa Barbara Business Leader.”
2006- Elected to the Summit School Board of Trustees as an emeritus member.
2001- Represented Advantage Schools and made a charter school presentation before a Congressional Education Committee Hearing, Washington, DC.
1999- Outstanding Educator Award, Moreland School District (Third recipient to be recognized in 50 years)
1976- Outstanding Educator Award, Merced Union High School District (Was awarded a trip to USAF Strategic Air Command Headquarters in Omaha, Nebraska)

REFERENCES
Dr. Don Shalvey, Deputy Director, Bill and Melinda Gates Foundation and CEO and Founder of Aspire Public Schools
Mr. Irvin Scott, Deputy Director, Bill and Melinda Gates Foundation
Dr. Glenn Miller, Chair of the Peabody Board of Directors, Santa Barbara, CA.
Dr. William Andrew, Chair of Board of Trustees, Summit School of Ahwatukee
Mr. Steven Wilson, Founder/CEO of Advantage Charter Schools, Boston, MA
Mr. Geoff Swett, former CFO of Advantage Schools, Boston, MA
Mr. Arthur Merovick, former Headmaster of Laguna Blanca School, Santa Barbara, CA

---Contact information available on request---

"I know the price of success: dedication, hard work, and an unremitting devotion to the things you want to see happen.” Frank Lloyd Wright
APPENDIX B

Governance Summary
Roles of the Board of Directors and Senior Leadership Team:
Aspire has a single Board of Directors, whose primary role is to assess the health of the organization and understand external issues that impact our mission in order to identify risks and advise on how to mitigate those risks. Aspire's Senior Leadership Team (SLT), comprised of the CEO, CAO, CFO, Chief People Officer (CPO), VP of Finance, VP of Operations, VP of Advancement, California Area Superintendents (3), and Memphis Executive Director, drive the strategies and priorities of the organization and have the authority to make and approve many programmatic, operational and financial decisions. Long-term and far-reaching strategic topics and policies, typically recommended by the SLT, are brought to the Board to seek guidance, input, and approval. The Board also reviews and approves items that require full Board approval, such as acceptance and use of certain federal and state grants. Every quarter, the Board receives an update on our financial position, progress towards stated annual and 3-5 year goals, and large initiatives being undertaken. The Board meetings occur at least 5 times per year and are subject to the Brown Act.

The Board has delegated limited approval authority to an Executive Committee, currently consisting of 3 Board members, that handles all school-related matters, such as expulsions, contracts and MOUs for schools, and charter petitions and renewals. The Executive Committee meets almost monthly and is subject to Brown Act. In addition, a Finance Committee has been formed as an advisory board, consisting of 3-4 Board members, that provides more detailed oversight and guidance on Aspire's financial sustainability. This Committee has been delegated no authority and meets almost monthly.

Public/Parental Involvement and Escalation:
Meetings of the Executive Committee and Full Board are subject to Brown Act requirements and are open to the public. The public is welcome to go to our designated Los Angeles or Memphis locations to see the meetings via video-conference. An audio conference line is also provided.

Each Aspire school shares local control with an Advisory School Council ("ASC"), consisting of family and school representatives. The ASC participates in developing school policies and shares in efforts to engage the support of the community, including fundraising events and other school functions. The ASC has the power to make recommendations about issues related to the Charter School and participates in reviewing family and community concerns. The ASC consists of representatives of the following parties: the principal, teachers, and family members. The principal is responsible for communicating all ASC policy recommendations to the Aspire Board of Directors. In short, Aspire's Board of Directors oversees issues related to Aspire schools in general, while the ASCs focus on the day-to-day concerns of each respective Aspire school.
APPENDIX C
Student Family Handbook

Included in original submission.
APPENDIX D

Employee Handbook

Included in original submission.
## Three Year Budget

### Revenues

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<tr>
<td>Certificated salaries</td>
<td>$692,799</td>
<td>$777,550</td>
<td>$893,031</td>
<td>$1,099,117</td>
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<td>Classified salaries</td>
<td>$212,872</td>
<td>$244,598</td>
<td>$289,125</td>
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<td>Benefits &amp; payroll taxes</td>
<td>$245,249</td>
<td>$254,239</td>
<td>$274,283</td>
<td>$441,669</td>
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<tr>
<td><strong>Expenses - Personnel</strong></td>
<td><strong>$1,120,920</strong></td>
<td><strong>$1,454,877</strong></td>
<td><strong>$1,856,539</strong></td>
<td><strong>$2,531,417</strong></td>
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</table>

### Expenses - Operating

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Books</td>
<td>$17,435</td>
<td>$17,653</td>
<td>$18,255</td>
<td>$36,210</td>
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<tr>
<td>Materials</td>
<td>$57,134</td>
<td>$52,848</td>
<td>$59,822</td>
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<tr>
<td>Computers, equipment, &amp; furniture</td>
<td>$9,400</td>
<td>$9,517</td>
<td>$9,842</td>
<td>$19,526</td>
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<tr>
<td>Food services</td>
<td>$128,883</td>
<td>$133,760</td>
<td>$138,878</td>
<td>$263,305</td>
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<tr>
<td>Services</td>
<td>$13,000</td>
<td>$13,162</td>
<td>$13,612</td>
<td>$27,004</td>
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<tr>
<td>Dues &amp; subscriptions</td>
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<td>$506</td>
<td>$524</td>
<td>$1,039</td>
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<td>Insurance</td>
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<td>$11,794</td>
<td>$12,196</td>
<td>$24,195</td>
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<td>Utilities</td>
<td>$18,640</td>
<td>$18,772</td>
<td>$19,412</td>
<td>$38,511</td>
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<tr>
<td>Rent</td>
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<td>$219,913</td>
<td>$238,280</td>
<td>$442,938</td>
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<td>Leases</td>
<td>$6,960</td>
<td>$7,047</td>
<td>$7,287</td>
<td>$14,457</td>
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<td>Professional services</td>
<td>$29,323</td>
<td>$29,689</td>
<td>$30,702</td>
<td>$60,910</td>
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<tr>
<td>Authorizer oversight fees</td>
<td>$10,933</td>
<td>$12,500</td>
<td>$12,881</td>
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<td>Communications</td>
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<td>$12,858</td>
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<td>Special education charges</td>
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<td>$23,044</td>
<td>$23,821</td>
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<td>Depreciation</td>
<td>$15,867</td>
<td>$15,867</td>
<td>$15,867</td>
<td>$15,867</td>
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<td>Other Outgo</td>
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<td>$99,738</td>
<td>$102,544</td>
<td>$187,085</td>
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<td><strong>Expenses - Operating</strong></td>
<td><strong>$773,306</strong></td>
<td><strong>$786,532</strong></td>
<td><strong>$890,108</strong></td>
<td><strong>$1,548,740</strong></td>
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<tr>
<td><strong>Expenses - Total</strong></td>
<td><strong>$1,894,226</strong></td>
<td><strong>$1,932,420</strong></td>
<td><strong>$1,995,547</strong></td>
<td><strong>$3,340,457</strong></td>
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### Surplus/Deficit

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<tr>
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</thead>
<tbody>
<tr>
<td>Surplus</td>
<td>$6,993</td>
<td>$22,791</td>
<td>$5,247</td>
<td>$22,725</td>
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</table>

### Beginning Fund Balance

- 2013-2014: $409,478
- 2014-2015: $416,471
- 2015-2016: $439,262
- 2016-2017: $444,509

### Ending Fund Balance

- 2013-2014: $416,471
- 2014-2015: $429,262
- 2015-2016: $446,224
- 2016-2017: $460,224

Notes:
- See revenue assumptions below
- See revenue assumptions below
- See revenue assumptions below
- See revenue assumptions below
- Assumed flat amount based on reduced grant amount
- Assumed flat amount based on current funding
- See revenue assumptions below; includes EDCOE transfers
- Estimated based on historical amounts & projected inflation
- Assumed flat amount based on current funding
- See revenue assumptions below
- Estimated based on historical amounts & projected inflation
- Assume no other federal revenues
- See revenue assumptions below
- Estimated based on historical amounts & projected inflation
- Assume no other local revenues

See staffing details below
See staffing details below
See expense assumptions below
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
See expense assumptions below
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
Estimated based on historical amounts & projected inflation
See expense assumptions below
See expense assumptions below

S:\Strategy & Operations\Charter\LACOE\LACOE Submission\To Submit\AML\20 Copy\07 AMLA - Petition Budget and Financials

Three Year Report - Page 1 of 13
# Three Year Budget

<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Total enrollment</td>
<td>185</td>
<td>184</td>
<td>186</td>
<td>360</td>
<td>Estimated based on historical amounts</td>
</tr>
<tr>
<td>Attendance rate</td>
<td>96.0%</td>
<td>96.0%</td>
<td>96.0%</td>
<td>96.0%</td>
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<tr>
<td>Total ADA</td>
<td>178</td>
<td>177</td>
<td>179</td>
<td>346</td>
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<td>%Free meal</td>
<td>86.8%</td>
<td>86.8%</td>
<td>86.8%</td>
<td>86.8%</td>
<td>Estimated based on historical amounts</td>
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<tr>
<td>% Reduced meal</td>
<td>7.7%</td>
<td>7.7%</td>
<td>7.7%</td>
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<td>%ELL</td>
<td>46.0%</td>
<td>46.0%</td>
<td>46.0%</td>
<td>46.0%</td>
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<td>%Unduplicated</td>
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<td>94.5%</td>
<td>94.5%</td>
<td>94.5%</td>
<td>Estimated based on historical amounts</td>
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</table>

<table>
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</thead>
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<tr>
<td>2nd grade</td>
<td>25</td>
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</tr>
<tr>
<td>3rd grade</td>
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<td>25</td>
<td>24</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>4th grade</td>
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<td>55</td>
<td>30</td>
<td>60</td>
<td></td>
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<tr>
<td>5th grade</td>
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<tr>
<td>6th grade</td>
<td>7th grade</td>
<td>8th grade</td>
<td>9th grade</td>
<td>10th grade</td>
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<td>Total enrollment</td>
<td>185</td>
<td>184</td>
<td>185</td>
<td>360</td>
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</tbody>
</table>

*Note: 2016-2017 enrollment increase assumes we will move into a new/expanded facility.

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<thead>
<tr>
<th>Staff</th>
<th>1110 Cert. Teachers</th>
<th>1200 Cert. Support</th>
<th>1300 Cert. Admin</th>
<th>2100 Instructional Aides</th>
<th>2200 Class. Support</th>
<th>2300 Class. Admin</th>
<th>2400 Clerical/Office Staff</th>
<th>2900 Class. Other</th>
<th>Total FTEs</th>
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<td>10.8</td>
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<td>2.6</td>
<td>0.5</td>
<td>0.5</td>
<td>2.0</td>
<td>2.7</td>
<td>20.1</td>
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Total FTEs: 20.1
## Three Year Budget

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</thead>
<tbody>
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<td>COLA</td>
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<td>2.8%</td>
<td>2.5%</td>
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<tr>
<td>Base grant per ADA - K-3</td>
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<td>57,077</td>
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<td>Base grant per ADA - 4-6</td>
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<td>7,348</td>
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<tr>
<td>Base grant per ADA - 7-8</td>
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<td>7,397</td>
<td>7,567</td>
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<td>Base grant per ADA - 9-12</td>
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<td>8,570</td>
<td>8,767</td>
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<td>Grade level supplement % - K-3</td>
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<td>10.4%</td>
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<tr>
<td>Grade level supplement % - 9-12</td>
<td>2.6%</td>
<td>2.6%</td>
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<td>Supplemental grant %</td>
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<td>20.0%</td>
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<tr>
<td>Concentration grant threshold %</td>
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<td>55.0%</td>
<td>55.0%</td>
<td>CDE estimates</td>
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<tr>
<td>Local district unduplicated %</td>
<td>70.1%</td>
<td>70.1%</td>
<td>70.1%</td>
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<tr>
<td>Concentration grant %</td>
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<td>50.0%</td>
<td>50.0%</td>
<td>School Services estimates</td>
<td></td>
</tr>
<tr>
<td>LCFF gap funded %</td>
<td>4.4%</td>
<td>5.5%</td>
<td>5.5%</td>
<td>CSDC estimates</td>
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<tr>
<td>DPA</td>
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<td>16.0%</td>
<td>16.0%</td>
<td>2012-2013 P2 rate</td>
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<tr>
<td>In Lieu</td>
<td>$1,402</td>
<td>$1,402</td>
<td>$1,402</td>
<td>School Services estimates</td>
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<tr>
<td>Lottery</td>
<td>Amount per ADA - K-12</td>
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<td>$160</td>
<td>$164</td>
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<td>Mandate</td>
<td>Amount per ADA - K-8</td>
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<td>$14</td>
<td>$14</td>
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<td></td>
<td>Amount per ADA - 9-12</td>
<td>$42</td>
<td>$43</td>
<td>$44</td>
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<td>SpEd</td>
<td>State special education funding rate (per ADA)</td>
<td>$500</td>
<td>$512</td>
<td>$524</td>
<td>EDCOE 2013-2014 estimates</td>
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<tr>
<td></td>
<td>State mental health funding rate (per ADA)</td>
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<td>$20</td>
<td>$21</td>
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<td></td>
<td>Federal special education funding rate (per ADA)</td>
<td>$120</td>
<td>$120</td>
<td>$126</td>
<td>EDCOE 2013-2014 estimates</td>
</tr>
</tbody>
</table>

## Expense Assumptions

| COLA                | 1.80%                       | 2.30%           | 2.50%           | Match revenue COLA |
| Benefits            |                             |                 |                 |                   |
| STRS %              | 8.25%                       | 8.75%           | 9.25%           | CALSTRS estimates, 0.5% increase per year |
| PERS %              | 11.94%                      | 12.44%          | 12.94%          | CALPERS estimates, 0.5% increase per year |
| Medicare %          | 1.45%                       | 1.45%           | 1.45%           | No change to current rate |
| CASH %              | 6.20%                       | 6.20%           | 6.20%           | No change to current rate |
| Other benefits costs % | 2.75%              | 2.75%           | 2.75%           | 10% increase per year |
| Healthcare average per eligible employee | $7,800 | $8,580 | $9,438 | 1% oversight fee (on LCFF revenues) |

| Other                |                             |                 |                 |                   |
|                     | Authorizer oversight fees | 1.00%           | 1.00%           | 1.00%           | % of ongoing state and federal revenues |
|                     | Home office contribution | 7.00%           | 7.00%           | 7.00%           | % of ongoing state and federal revenues |
|                     | Facility allocation contribution | 7.50% | 7.50% | 7.50% | Estimated based on historical amounts |

Special Education general fund contribution per ADA | $150 | $150 | $150 |
### Cash Flow - 2014-2015

#### Total Budget

<table>
<thead>
<tr>
<th>Month</th>
<th>Total Budget</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>AR/AP</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>$300,300</td>
<td>$300,300</td>
<td>$429,260</td>
<td>$433,750</td>
<td>$415,629</td>
<td>$260,597</td>
<td>$592,603</td>
<td>$484,049</td>
<td>$489,710</td>
<td>$699,258</td>
<td>$554,489</td>
<td>$438,082</td>
<td>$360,557</td>
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#### Expenses

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<th>Amount</th>
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<td>State aid - presidential appointment</td>
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<tr>
<td>State aid - education protection account</td>
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<tr>
<td>Mandate block grant</td>
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<tr>
<td>ASSE grant</td>
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<tr>
<td>ESFA/Grants for 2014</td>
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<tr>
<td>State block</td>
<td>$300,300</td>
</tr>
<tr>
<td>State nutrition</td>
<td>$300,300</td>
</tr>
<tr>
<td>Federal</td>
<td>$300,300</td>
</tr>
<tr>
<td>Total Federal</td>
<td>$300,300</td>
</tr>
<tr>
<td>Local</td>
<td>$300,300</td>
</tr>
<tr>
<td>In lieu of property taxes</td>
<td>$300,300</td>
</tr>
<tr>
<td>Other sources</td>
<td>$300,300</td>
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<tr>
<td>Total Local</td>
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<tr>
<td>Total Revenue</td>
<td>$600,600</td>
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<tr>
<td>Expenditure</td>
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</table>

#### Burplus/Deficit

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burplus/Deficit</td>
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#### Ending Cash Balance

<table>
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<tr>
<th>Month</th>
<th>Ending Cash Balance</th>
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<td>$560,520</td>
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### Cash Flow Assumptions

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<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>AR/AP</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Federal</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
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<tr>
<td>Local</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>In lieu of property taxes</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
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<tr>
<td>Other sources</td>
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<td>0.0%</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Burplus/Deficit</td>
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<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
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**Note:** This table is a portion of a financial document that appears to be a cash flow statement. It includes columns for the Current, Change1, Change2, Change3, Change4, and Change5 for each month from January to June.

## LCFF Revenues

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School Unduplicated % - Based on prior year

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<td>Base Grant - 7-8 Rate</td>
<td>7,154</td>
<td>7,266</td>
<td>7,397</td>
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<tr>
<td>x Supplemental Grant Factor</td>
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<td>= Effective Unduplicated % (minimum of above)</td>
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<td>x Concentration Grant Factor</td>
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<td>= Concentration Grant Addition</td>
<td>7.6%</td>
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<table>
<thead>
<tr>
<th>Base Grant &amp; Grade Level Supplement &amp; Supplemental Grant &amp; Concentration Grant</th>
<th>Los Angeles Unified</th>
<th>Los Angeles Unified</th>
<th>Los Angeles Unified</th>
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</thead>
<tbody>
<tr>
<td>Base Grant &amp; Grade Level Supplement - 4-6</td>
<td>6,947</td>
<td>7,056</td>
<td>7,183</td>
<td>7,348</td>
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<tr>
<td>Base Grant &amp; Grade Level Supplement - 7-8</td>
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<td>176.64</td>
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<td>1,229,947</td>
<td>1,262,806</td>
<td>2,406,460</td>
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<tr>
<td>Service Description</td>
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Note: Monday, Tuesday, and Wednesday are the same meals. The 'Monday' column represents the price for all three days.
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<tr>
<th>Description</th>
<th>ASL</th>
<th>SLT</th>
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<td>State meal reimbursement - breakfast - reduced</td>
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*ASL, SLT: ASL Social Security Administration Index of Labor; SLT: Social Security Administration Index of Labor (fiscal year).*
Item VI. Reports / Study Topics

A. Head Start Regionalization and Realignment of Service Areas

The purpose of this report is to provide the Los Angeles County Board of Education (County Board) with information on the Head Start regionalization and realignment of service areas.

On August 7, 2012, the County Board approved the Los Angeles County Office of Education (LACOE) competitive Head Start and Early Head Start applications. The applications described many of the changes LACOE would make from lessons learned to avoid placing the grant in jeopardy.

The attached report provides information on the 2014-2015 regionalization and realignment of service area and funding for each delegate agency.

Keesha Woods, Division Director, is available to respond to questions.
2014-2015 Regionalization and Realignment of Service Area and Funding

45 CFR 1305.3 (d)(3-5) require grantees to determine the recruitment area if limited resources prevent serving the entire service area. The regulations further state that if there are delegate agencies, the grantee must determine the recruitment area that will be served by each delegate agency, the appropriate locations for centers, and the areas to be served by home-based programs.

The Los Angeles County Office of Education (LACOE) has realigned service areas for delegate agencies based on the reduction of the geographical service area awarded by the Office of Head Start (OHS) and the demographic needs within those areas.

**Background**

The County Board approved LACOE’s competitive Head Start and Early Head Start applications on August 7, 2012. The applications described many of the changes LACOE would make from lessons learned to avoid placing the grant in jeopardy. LACOE’s responsibilities as a grantee were identified as *Four Pillars of Responsibility*: regionalization of service areas; and other fundamental system changes to ensure delegates have sound systems for quality service delivery to children and families.

The four-pillar service structure describes how LACOE is positioned to respond to the needs of the county’s educational and social services establishment; ensure quality services from delegate agencies; prepare children to enter kindergarten; and equip families and communities with resources to help them succeed. The four pillars are:

1. **Planning** a countywide and regional strategy creates a roadmap for direction and objectives, supports quality services, and increases availability for children and families.

2. **Resource development & collaboration** strengthen communities and help produce substantial outcomes for children and parents.

3. **Ongoing monitoring & accountability** measure achievement of goals, objectives and plans, and guarantee compliance with state and federal regulations.

4. **Training and technical assistance** meet the unique needs and abilities of LACOE and delegate agency staff achieve program goals and provide quality services.

On April 2, 2013, OHS announced the names of the agencies it would negotiate with to decide service areas and funding. Every agency, except Pacific Asian Consortium in Employment and Foundation, successfully negotiated with OHS.

Originally OHS offered LACOE approximately 45 percent of its existing grant. After several weeks of negotiations, a transition plan began to unfold to identify the service areas to remain
with LACOE. This plan included transitioning six of LACOE’s delegate agencies to grantees and closing out three existing delegates.

OHS granted LACOE a one-year extension to implement the Designation Renewal System (DRS) transition plan. The plan was implemented over three phases during the 2013-2014 program year to minimize the disruption of services to children and families. The 2013-2014 program year funding award equated to 70 percent of the 2012-2013 program year funding and approximately 57 percent for the 2014-2015 program year.

On October 18, 2013, the County Board received a report that included information about Head Start/Early Head Start Service Area and Funding for 2014-2015 Program Year, including regionalization of delegates. This report explained the OHS decision to move all grantees in the nation from indefinite to five-year project periods. It also included information about OHS changes in funding practices and program requirements to increase oversight of Head Start programs. The changes were designed to ensure that programs deliver quality services, operate effective management systems, and achieve positive outcomes for children, families, and communities (ACF-IM-HS-13-02).

Organizational Design to Support Pillars
Key to LACOE’s success is positioning staff to be more effective and consistent in working with agencies. To do this, LACOE consolidated regional service areas and aligned interdisciplinary teams based on the regionalization. The regional assignments foster stronger internal coordination among grantee staff, increase the capacity to support delegates, and speed identification of problems and resolutions. LACOE grouped the service area into five geographic regions. Prior to regionalization, delegate agencies served in many service areas throughout the county. In combination with the Pillars of Responsibility, the decision to regionalize provides an efficient allocation of resources and staff. It strengthens our work with children and families by aligning needs with local resources and coordinating services with community organizations. Regionalization creates a unified approach that benefits LACOE and its delegates to implement a quality birth-to-five continuum.

The grantee’s regional approach to working with delegates also affords staff an opportunity to maximize their knowledge and skills. The regional assignments take into account the holistic needs of agencies that are addressed by grantee unit staff. The units: Administration, Fiscal Controls and Accountability (FCA), Planning and Resources Development (PRD), and Program Design and Effectiveness (PDE) are accountable for the four pillars. This approach creates stronger internal coordination among grantee staff and increases the capacity to support delegates.

Rationale for service area changes
LACOE considered the following factors in adjusting service area and slot allocation.

1. Demographics - identified areas and communities with the greatest number of eligible Early Head Start and Head Start children and pregnant women, and assessed the
needs and resources available to them within the reduced LACOE communities (45CFR1305.3).

2. Accountability - reviewed OHS directives on the expectation of increased accountability for maintaining compliance with all applicable federal, state, and local regulations in delivering high quality programs and services, and executing effective and efficient management systems.

3. Performance - evaluated each delegate agency’s history, status of performance that places an agency on Track A, B, or C, and organizational capacity to comply with the LACOE contract and all applicable regulations. LACOE groups agencies into tracks to determine the level of monitoring, training and technical assistance an agency will receive in a given program year. Agencies on Track A receive regular ongoing monitoring and are able to correct non-compliances, with minimal assistance. Agencies on Tracks B and C receive more frequent monitoring, as well as additional support from LACOE. Track B agencies have several non-compliances, but are not deficient. Track C agencies have multiple longstanding non-compliance issues and are deficient. These deficiencies may include health and safety violations that endanger children and/or staff; fiscal issues that threaten an agency’s ability to operate as proposed in its funding plan; and/or agencies that fail to sustain improvements planned and implemented while on Track B.

4. Service area - reviewed demographics of the service area remaining with LACOE and aligned it to the regional concept described in the competition application to better distribute the resources available in each community and make the service areas contiguous. Implementing the region concept will result in contiguous communities and will impact the service area assigned to delegate agencies. Some agencies will have to transition to different service areas.

The maps on the following pages show the service area allocated to LACOE during the 2012-13 and the 2014-15 program years.
Map 1 – 2012-13 Program Year
Prior to 2013, LACOE’s service area encompassed the majority of Los Angeles County. All non-white areas depict LACOE’s service area since 1979.
Map 2 – 2014-15 Program Year
Map 2 represents the geographical service area awarded by OHS for LACOE’s five-year project period. Due to the reduction in our approved five-year grant, LACOE will contract with 16 delegate agencies. Recognizing the strikingly diverse geography, population, and economic conditions found in Los Angeles County, LACOE will implement a regional concept to work with delegate agencies. This approach allows LACOE HS-SP to respond to local needs by aligning those needs with local resources and coordinating services with other public and private organizations. Our regional approach affords all staff an opportunity to support our efforts to build quality programs and to maximize their knowledge and skills. Each region will be served by a multidisciplinary team of LACOE specialists and monitors responsible for delegate in four major functions: planning, resource development and collaboration, monitoring and accountability, and training and technical assistance. The regional approach enables us to target monitoring, resource development, and training to meet the specific needs of individual and groups of delegates. Our four key functions strengthen internal coordination among our staff and increase the capacity to support delegate agencies by identifying problems early and resolving them.
Map 2 below depicts five regions and 16 delegate agencies.
Delegate Agency Service Area and Slot Allocation

The following table provides information on agencies, regions, communities, slots and basic funding for the 2014-15 program year.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Region</th>
<th>Service Area</th>
<th>Slots</th>
<th>Basic Funding</th>
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<td></td>
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<td>EHS</td>
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<td>2. Bassett</td>
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<td>Bellflower, Lakewood</td>
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<tr>
<td>4. Children’s Institute</td>
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<td>Chesterfield Square, Harvard Park, Vermont Square, Vermont-Slauson, portion of Green Meadows, Watts</td>
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### Table 1  2014-15 Delegate Agency Service Areas and Slot Allocation

<table>
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<th>Slots</th>
<th>Basic Funding</th>
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<td></td>
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<td>Union, Playa del Rey, Playa Vista, Redondo Beach, Vermont Vista, Westchester, Westmont, Mid-Wilshire, Carthay, portions of Weslake</td>
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**Summary of changes for 2014-15 program year:**

- Six of 16 delegate agencies will continue to serve the same service area: ABC Unified School District (USD), Bassett USD, Bellflower USD, El Monte City School District, Pomona USD, and Santa Monica-Malibu USD.
- Four of 16 delegate agencies gained service area based on their capacity to increase services and the need to align recruitment areas contiguously: Garvey School District, MAOF, Mountain View, and Norwalk.
- Service areas and slots were reduced for three of 16 delegate agencies: Foundation, PACE, and Plaza. The reductions agencies incurred are directly related to the reduction in LACOE’s service area, as a result of DRS, and the four factors previously described.
- On March 4, 2014, the County Board approved the allocation of service areas to two new delegates (Para Los Niños and St. Anne’s).
Item VI. Reports / Study Topics

B. Adjudication Issues: Interdistrict Attendance Appeals/Expulsion Appeals (Enclosures)

The Division of Student Support Services and the Office of General Counsel will present a report to the Superintendent and Board on Adjudication Issues: Interdistrict Attendance Appeals/Expulsion Appeals. This report will provide a brief overview of the appeal process, and recent developments in statutory, regulatory, and policy structure in case law-court decisions.

Dr. Victor Thompson, Director, Division of Student Support Services and Vibiana Andrade, General Counsel, will be available for questions.
Students

STUDENT EXPULSION APPEALS

The County Board shall hear and determine an appeal of an expulsion order issued against a student who resides in Los Angeles County by a school district or by a charter school, if the charter school expressly follows the California Education Code.

A student expelled by the governing board of a school district or his/her parent/guardian (appellant) may appeal the expulsion to the County Board within thirty (30) days of the school district’s action. The appeal shall be filed in writing and shall include the following information:

1. Name of the expelled student
2. Contact address and telephone number of the student and/or parent/guardian
3. Name of respondent school board
4. Date of respondent school board’s action to expel student
5. Ground(s) on which appeal is based

The appellant shall submit to the County Board a certified copy of the written transcripts and supporting documents of the proceedings before the school district. Because delay in receiving the transcripts may prejudice the student’s case, the student is encouraged to request a copy of the transcripts and other related records from the district no later than the date on which the appeal is filed. (Education Code 48921)

An impartial administrative hearing panel acting on behalf of the County Board shall hold a hearing within twenty (20) school days of the filing of the appeal. (Education Code 48919)

No later than ten (10) days prior to the hearing, designated LACOE staff shall serve upon the appellant or parent/guardian and the respondent school board, by certified mail, return receipt requested, a notice of the hearing including details such as the date, time and place of the hearing. The notice shall also contain a statement that the hearing shall be in closed session unless the student requests in writing at least five (5) days prior to the hearing that the hearing be conducted in open session.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, an appeal of an expulsion order shall be heard in closed session, unless the student requests in writing at least five (5) days prior to the hearing that the hearing be conducted at a public meeting. If such request is made, the hearing shall be public unless another student’s privacy rights would be violated by so doing. (Education Code 48920)
STUDENT EXPULSION APPEALS (continued)

Whether the expulsion hearing is held in closed or public session, the County Board may meet in closed session to deliberate on the appeal. If the County Board admits one of the parties or their representative(s) to the closed session, the other party or their representative(s) shall also be allowed to attend the closed session. (Education Code 48920)

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48919)

Scope of Review

The County Board shall determine the appeal based on the record of the hearing before the district governing board and other applicable documentation and/or regulations. No evidence other than that contained in the record of proceedings of the district governing board shall be heard except in a de novo proceeding, granted pursuant to Education Code 48923. (Education Code 48921)

A de novo proceeding involves an independent determination by the County Board of all the issues previously considered by the school district’s governing board.

The County Board’s review shall be limited to: (Education Code 48922)

1. Whether the governing board acted without or in excess of its jurisdiction.

2. Whether there was a fair hearing before the governing board.

3. Whether there was a prejudicial abuse of discretion in the hearing. Abuse of discretion is established if:

   a. School officials did not meet the procedural requirements of Education Code 48900-48926;

   b. The decision to expel the student is not supported by the findings prescribed by Education Code 48915; or

   c. The findings are not supported by the evidence.

4. Whether there is relevant and material evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the governing board.
STUDENT EXPULSION APPEALS (continued)

Final Order of the County Board

The administrative panel shall submit a recommended decision and the record to the County Board within three school days of hearing the appeal. The County Board shall review the recommended decision and render its final decision within ten (10) school days of receiving the recommended decision. (Education Code 48919.5)

The County Board’s decision shall be limited as follows: (Education Code 48923)

1. Where the County Board finds that relevant and material evidence exists which, in the exercise of reasonable diligence, could not have been produced, or which was improperly excluded at the hearing before the governing board, the County Board may remand the matter to the local governing board for reconsideration or grant a hearing de novo.

2. Where the County Board determines that the governing board’s decision is not supported by findings required to be made by Education Code 48915, but evidence supporting such findings exists in the record of the proceedings, the County Board shall remand the matter to the local governing board for adoption and inclusion of the required findings.

3. In all other cases, the County Board shall either affirm or reverse the decision of the governing board. If the County Board reverses a governing board’s decision, the County Board may direct the governing board to expunge all references to the expulsion action from the district’s and student’s records, and the expulsion shall be deemed not to have occurred.

The decision of the County Board shall be final and binding upon the student and the governing board. The student and the governing board shall be notified of the final order of the County Board, in writing, either by personal service or by certified mail. The order shall become final when rendered. (Education Code 48924)

(See Legal References on next page)
STUDENT EXPULSION APPEALS (continued)

Legal References:
EDUCATION CODE
1981 Enrollment of students
17292.5 Program for expelled students
35145 Public meetings
35146 Closed sessions (re. suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48660-48666 Community day schools
48900-48926 Suspension and expulsion
48950 Speech and other communication
49073-49079 Privacy of student records
GOVERNMENT CODE
11455.20 Contempt
54950-54962 Ralph M. Brown Act (re. closed sessions)
COURT DECISIONS
Students

INTERDISTRICT ATTENDANCE APPEALS

The Los Angeles County Board of Education (County Board) believes that interdistrict permit appeals are among the most important business that the County Board undertakes. Therefore, every County Board member present for such an appeal should, absent some disqualifying conflict of interest, participate in the decision on such appeals. Accordingly, the County Board strongly discourages abstentions on appeal decisions. Four affirmative votes of the County Board are required for the interdistrict appeal to be granted.

The County Board shall consider an appeal against any school district within the county for its failure or refusal to issue an interdistrict attendance permit to a student, or for its failure or refusal to enter into an interdistrict attendance agreement with another school district for the student’s attendance. (Education Code 46601)

If the request for interdistrict attendance involves a school district located within the county and a school district located in a different county, the County Board shall have jurisdiction if the denial of the permit, or the refusal or failure to enter into an agreement, is by the school district within the county. If both school districts deny the permit or refuse or fail to enter into an agreement, the County Board shall have jurisdiction only if the school district within the county is the student’s district of residence. (Education Code 46601)

The appeal shall be filed in writing, by a person having legal custody of the student, within 30 calendar days of the district’s failure or refusal to issue a permit, or to enter into an agreement allowing the interdistrict attendance. Failure to appeal within the required time is good cause for denial of an appeal. (Education Code 46601)

The appeal shall be accepted only upon verification by the County Superintendent of Schools or designee that appeals within the districts have been exhausted. (Education Code 46601)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

Hearing

The County Board may appoint a hearing officer or an impartial administrative panel to hear appeals on behalf of the County Board. Delegation of such authority shall be determined by the County Board based upon the number of cases (25 families) that can reasonably be heard at any one County Board meeting. This number shall be reflected in the minutes of the County Board’s meeting. Even when a hearing officer or an administrative panel is appointed, the following timelines must be complied with. (Education Code 46601)
INTERDISTRICT ATTENDANCE APPEALS (continued)

The County Board shall conduct a hearing within 40 school days after the appeal is filed, to determine whether the student should be permitted to attend school in the district of his/her choice. If it is impractical for the County Board to comply with the time requirement for the hearing, the County Board may extend the time period for up to an additional five school days. (Education Code 46601)

When the County Board authorizes an administrative panel to hear an appeal on its behalf, a hearing consultant from the Child Welfare and Attendance (CWA) Unit will schedule a meeting to conduct a fact-finding session within 20 school days. The purpose of the fact-finding is to gather evidence to assist the administrative panel in determining whether to grant or deny an appeal based on its merits. The hearing consultant shall not serve on the administrative panel that will either recommend or render a final decision on the matter. A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. The hearing consultant will rule on matters of procedure.

The administrative panel shall consist of three or more certificated persons. No member of the impartial administrative panel shall be a member of the County Board, nor be employed by the school district or residence or the district of desired attendance.

Final Order of the County Board

The County Board shall render a decision within 10 calendar days of receiving the hearing consultant’s findings of fact. (Education Code 46601)

When the County Board authorizes a hearing officer or administrative panel to render a final decision on its behalf, the hearing officer/administrative panel shall render its decision within three school days of the hearing unless the appellant requests a postponement. (Education Code 46601)

In cases where the administrative panel has been authorized to render a final decision on behalf of the County Board, two affirmative votes of the administrative panel are required for the interdistrict appeal to be granted. The administrative panel’s final decision, together with the record of proceeding, shall be filed with the secretary to the County Board within three days after such decision is rendered.

The interdistrict appeal shall be either granted or denied on its merits. However, if new evidence or grounds for the request are introduced, the matter may be remanded for further consideration by the district or districts. (Education Code 46601)
INTERDISTRICT ATTENDANCE APPEALS (continued)

If the County Board determines that the student should be permitted to attend school in the district of choice, the student shall be admitted to a school in that district without delay. The County Board is not authorized to order the specific school placement for the student. School placement, even after a successful appeal, is determined by the district of attendance. (Education Code 46601, 46602)

All parties shall be notified in writing of the decision of the County Board/administrative panel/hearing officer. (Education Code 46601)

Once a pupil in kindergarten or any of grades 1 to 12, inclusive, is enrolled in a school, the pupil shall not have to reapply for an interdistrict transfer, and the governing board of the school district of enrollment shall allow the pupil to continue to attend the school in which he or she is enrolled unless an agreement between the district of residence and the district of enrollment states otherwise. (Education Code 46600)

Legal Reference:

EDUCATION CODE
46600-46611 Interdistrict attendance agreements
48204 Residency requirements for school attendance
48209-48209.17 Student attendance alternatives
48660-48666 Community day schools
48900-48926 Suspension and expulsion
48950 Speech and other communication
49073-49079 Privacy of student records

GOVERNMENT CODE
54950-54962 Ralph M. Brown Act (re closed sessions)
INTERDISTRICT ATTENDANCE APPEALS

A parent, who has been denied an interdistrict attendance permit by the district of residence or by the district of attendance, may file an “Interdistrict Attendance Appeal” on a form prescribed by the County Board. (Education Code 46601)

In order to be timely, an appeal form must be actually received in person or via U.S. mail by the LACOE Child Welfare and Attendance (CWA) Unit no later than the 30th calendar day following the failure or refusal of a school district to issue a permit. Forms mailed and postmarked but not actually received by the CWA office during normal business hours and within 30 calendar days will not be accepted. (Example: If the 30th calendar day falls on a weekend or holiday, the appeal must be physically received by the CWA office on the prior business day.)

Once the completed appeal form with the reasons for appeal has been filed with the CWA Unit, the following documents of support must be submitted by the appellant and by the school district within the timeline prescribed.

For the appellant to be submitted within five school days of initiating the appeal:

1. A copy of the original request for an interdistrict attendance permit (if available)
2. A one page brief, or summary, outlining the reasons for appeal
3. Copies of all correspondence between the parent and the district denying the permit (including a copy of the final letter of denial from the denying district)
4. Additional supporting documents, limited to ten pages, which the parent wishes to submit to support the request for transfer.

(Example: A request for a transfer based on safety or health issues should be accompanied by documentation to support the claim. Simply stating that a problem exists without proof may not constitute sufficient grounds for granting an appeal.)

For the school district to be submitted by the school district no later than five school days before the fact-finding session with the hearing consultant:

1. A one page brief, or written response to the appeal along with supporting documentation
2. A copy of the local board policy and district procedures regarding the processing of interdistrict attendance appeals;
INTERDISTRICT ATTENDANCE APPEALS (continued)

3. A copy of any agreement between the district of residence and the district of attendance regarding the processing of interdistrict attendance appeals

4. A copy of the original request for interdistrict transfer permit

5. Any additional documentation, limited to ten pages, which may be required to support the district’s decision.

(Example: A district that denies a request for transfer based on class-size reduction issues would need to submit documentation to support that claim.)

Upon receiving a completed appeal form, a hearing consultant from the CWA Unit will schedule a meeting to conduct a fact-finding session within 20 school days. The purpose of fact-finding is to gather evidence to assist the County Board or administrative panel in determining whether to grant or deny an appeal based on its merits. All parties will be notified in writing of the date, time, and place of the session and the procedures for fact-finding. A postponement may be granted for good cause. The hearing consultant will rule on matters of procedure.

An open hearing will be conducted by the County Board, except in situations where medical or confidential information is discussed. If it is impractical for the County Board to comply with the time requirement for the hearing, the County Board may extend the time period for up to an additional five school days or delegate the authority to the Hearing Consultant to extend time period for up to an additional five school days if there are no County Board meetings scheduled. The County Board may grant a postponement upon a showing of good cause. (Education Code 46601)

The County Board may appoint an impartial administrative panel to hear appeals on behalf of the County Board. Delegation of such authority may occur when more than 25 families’ appeal cases are scheduled to be heard at any one County Board meeting, when the County Board has other pertinent County Board business that must be addressed, or when County Board meetings cannot be scheduled, rendering it impractical for the County Board to meet the appeal timeline. Cases involving multiple children are counted as a single case. (Education Code 46601)

The County Board shall activate the use of an administrative panel to hear the appeals on its behalf in the following manner:

1. The County Board shall review the number of cases that are scheduled for each future County Board meeting. The cases are listed in an order based on time and date of submission to the CWA Unit to ensure equity.
INTERDISTRICT ATTENDANCE APPEALS (continued)

2. Upon review of the number of cases and the County Board agenda for each County Board meeting, the County Board shall determine the number of appeals that can practically be heard.

3. When the number of cases scheduled at a County Board meeting exceeds 25 families and the County Board is able to hear up to 25 families’ cases, the County Board may delegate the remaining cases to an administrative panel.

4. When other pertinent County Board business requires the attention of the County Board for the majority of a County Board meeting, the County Board shall determine the number of cases that can practically be heard and may delegate the remaining cases to an administrative panel.

5. When County Board meetings cannot be scheduled, the County Board may delegate the cases scheduled on those days to an administrative panel.

When the County Board authorizes an administrative panel to hear an appeal on its behalf, a hearing consultant from the Unit will schedule a meeting to conduct a fact-finding session within 20 school days. The purpose of fact-finding is to gather evidence to assist the hearing officer or administrative panel in determining whether to grant or deny an appeal based on its merits. The hearing consultant shall not serve on the administrative panel that will either recommend or render a final decision on the matter. A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. The hearing consultant will rule on matters of procedure.

The administrative panel shall consist of three or more certificated persons. No member of the impartial administrative panel shall be a member of the County Board, nor be employed by the school district of residence or the district of desired attendance.

The hearing before the hearing officer or administrative panel will be held in open session unless the appellant requests, at least five calendar days prior to the date of the hearing, that it be held in closed session. All parties will be notified in writing of the date, time, and place of the hearing and its procedures. A postponement may be granted for good cause.

Interdistrict Appeal Board Options

The County Board believes that interdistrict permit appeals are among the most important business that the County Board undertakes. Therefore, every County Board member present for such an appeal should, absent some disqualifying conflict of interest, participate in the decision on such appeals. Accordingly, the County Board strongly discourages abstentions on appeal decisions. Four affirmative votes of the County Board are required for the interdistrict appeal to be granted.
In cases where the hearing officer or administrative panel has been authorized to hear an appeal on behalf of the County Board and recommend a final decision, the County Board may act upon more than one recommendation by a single vote through the use of a consent agenda. In accordance with law, the public has a right to comment on any consent item. At the request of any member of the County Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item. The County Board shall render a decision within 10 calendar days of receiving the hearing officer’s or administrative panel’s recommended decision.

In cases where the administrative panel has been authorized to render a final decision on behalf of the County Board, two affirmative votes of the administrative panel are required for the interdistrict appeal to be granted. The administrative panel’s final decision, together with the record of proceeding, shall be filed with the secretary to the County Board within three days after such decision is rendered.

The County Board/administrative panel/hearing officer may approve an interdistrict attendance permit for a student for any of the following reasons: (Education Code 46601)

Factors Regarding Students

1. The student has expressed a genuine interest in an educational class or program which is both available and beneficial to the student, which cannot be reasonably provided by the district of residence, and the student is in fact eligible for, and has committed to taking or has been accepted into, the desired class or program

2. There is evidence of threats or injury to the student, or evidence that the student’s health, welfare or safety are otherwise in clear, present, and continuing jeopardy or danger in the district of residence. Written documentation and/or supporting information from doctors, psychologists, or other persons should be provided to verify health-related issues

3. There is evidence that the student has a genuine and substantial fear of attending the district of residence. Written documentation and/or supporting information should be provided to verify the presence of substantial fear and/or impact on the student

4. That transportation problems exist which create a hardship for the student which are resolved by transfer to the district of desired attendance

5. The receiving school in the district of desired attendance is geographically closer to the student’s residence and such proximity to the school is required for child care services or other substantial family needs

6. The district of desired attendance will accept the student
INTERDISTRICT ATTENDANCE APPEALS (continued)

7. There is present intent to change residence and a substantial likelihood that the change of residence will occur. Supporting information, such as escrow documents, should be provided to verify intent.

8. The proposed transfer would not create a significant, adverse financial or educational impact on student programs or classes in the district of residence or in the district of desired attendance.

9. Continued enrollment in the district of desired attendance will promote an important level of continuity that is in the best interest of the student.

10. Such other considerations as the County Board may deem appropriate in each case to render a decision on the merits.

Factors Regarding Procedural and Other Matters

1. The material information provided by the parent is true and correct and that no information has been falsified or intentionally omitted.

2. All appeals have been exhausted by the parent at the local level prior to being appealed to the County Board.

3. The student is neither under consideration for expulsion nor currently under an expulsion order.

4. An interdistrict permit was revoked because the student did not fulfill the conditions, purpose, or terms under which that previous interdistrict permit was approved.

5. A transfer to the receiving school would not violate any district policies, provisions of the Education Code, or other applicable law.

6. The sending or receiving school district has failed to follow a material aspect of its own interdistrict attendance policies.

7. The interdistrict transfer would not negatively impact voluntary or court ordered desegregation plans or the racial-ethnic balance of the district of residence.

Failure of the parent to pursue the appeal in a timely manner, within 30 calendar days or to appear at scheduled meetings, may be deemed an abandonment of the appeal and the matter may be dismissed.
INTERDISTRICT ATTENDANCE APPEALS (continued)

Failure of the school district to participate in the appeal in a timely manner, or to appear at scheduled meetings, may be deemed an abandonment of the appeal and the County Board may grant the interdistrict transfer.
Students

STUDENT EXPULSION APPEALS

A parent of a student expelled from any school district (or charter school, where applicable) located within Los Angeles County may wish to appeal the expulsion to the County Board if the parent can show violations of the issues listed under “Scope of Review.” This process will be confidential to the extent possible.

It is the desire of the County Board that all appeal proceedings be completed as quickly as possible, consistent with giving the parties a fair opportunity to prepare and present their cases within time limits set by law. LACOE Staff will assist the parent and the school district with County Board procedures for filing an appeal, scheduling of hearings, and submission of documents.

The County Board believes that justice is best served in a disciplinary situation by finding a solution beneficial to the student and consistent with the welfare of the school and other students. In some instances, it is possible to arrive at solutions that would obviate the need for appeal and better serve the interests of all concerned (e.g., arrangement for enrollment of the student in another district, reconsideration by school district due to changed circumstances or new facts). With this in mind, and with assistance from staff, all parties are encouraged to explore solutions.

The informal procedures outlined in this section are not, however, considered a substitute for appeal proceedings. Either party is free to reject a proposed solution without prejudice to any rights on appeal.

The County Board’s review is limited to the record of proceeding of the local governing board. Unless evidence was improperly excluded or, in the exercise of reasonable diligence, could not be produced at the time of the expulsion hearing, no evidence other than that contained in the record of proceeding may be heard.

An expulsion appeal shall be filed with the County Board in writing and utilizing a “Notice of Appeal” form. The Notice of Appeal form shall state briefly why the parent feels the decision of the school district governing board should be reversed. The parent may amend the Notice of Appeal, upon review of the record of proceeding, up to five (5) school days prior to the date set for the administrative hearing.

In order to be timely, an appeal form must be received by the Child Welfare and Attendance (CWA) Unit of the County Board within thirty (30) calendar days of the original vote of the school district governing board to expel the student. Delivery of the appeal form shall be made in person or by U.S. mail. Forms mailed and postmarked but not actually received by the CWA office within thirty (30) calendar days will not be accepted.
STUDENT EXPULSION APPEALS (continued)

The following shall be used in determining the timeliness of an appeal:

1. No expulsion appeal shall be filed with the County Board in the absence of an action by the school district governing board.

2. A decision of the governing board to suspend an expulsion order and place the student on probation shall not affect the thirty (30) day time period and requirements for the filing of an expulsion appeal with the County Board.

3. A parent who fails to appeal the original action within the prescribed time may not subsequently appeal a decision of the governing board to revoke probation and impose the original order of expulsion.

The County Board believes that student expulsion appeals are among the most important business that the County Board undertakes. The County Board therefore believes that every County Board member present for such an appeal should, absent some disqualifying conflict of interest, participate in the decision on such appeals. Accordingly, the County Board strongly discourages abstentions on appeal decisions. Four affirmative votes of the County Board are required for the expulsion appeal to be granted.

The parent may request a postponement of the administrative or County Board hearing. Such request shall be filed in writing no less than five (5) calendar days prior to the date of the hearing. The request may be granted at the discretion of the LACOE staff.

Termination of Appeal

1. Unless otherwise excused by the County Board, failure of the appellant or parent/guardian to appear at the scheduled hearings or to pursue the appeal with diligence within the time frames established by law may be deemed an abandonment of the appeal and the County Board may dismiss the appeal.

2. Failure of the school district to produce the record of proceeding in a timely manner or to appear at scheduled hearings may be deemed an abandonment of the appeal and the County Board may reverse the decision of the governing board in favor of the student.
DIVISION OF STUDENT SUPPORT SERVICES

Contacts:
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Appeals

The Los Angeles County Board of Education has appellate authority to determine:

1. **Interdistrict Appeals**: Whether a student should be permitted to attend school outside of their district of residence (LACOE Board Policy (BP) 5117, Education Code (EC) 46600, 46601, 46602).

2. **Expulsion Appeals**: Whether to affirm (uphold) or reverse the decision of a local school district’s governing board to expel a student from the school district (BP 5144.3, EC 48919).

**Expulsion Appeals**

1. The student/parent must file a Notice of Appeal within 30 calendar days of the district’s decision to expel.
2. LACOE Student Support Services Staff review the notice of appeal, the record, and supporting documents, and shall schedule an appeal hearing with the LACOE administrative hearing panel no more than 20 school days from the filing of the notice of appeal.
3. Staff provide support for both the student/parent and school district officials in filing the case, and seek informal resolution if possible.
4. An administrative hearing panel, consisting of three staff members, conducts the appeal hearing. The appellant (student and parents) and the respondent (school district) present their respective positions at the appeal hearing. The hearing is based on the transcript and other records used at the local expulsion hearing. The administrative hearing panel does not rehear the original case or conduct a de novo hearing.
5. Following the appeal hearing, staff prepare findings and conclusions and a recommended decision, which the Board reviews along with the record, and renders a final decision within 10 school days at the regular board meeting in closed session – the appellant can request an open session.

6. The hearing may be held on a date beyond the identified timelines if the student/parent requests a postponement.

7. The LACOE Board does not re-hear the case (de novo hearing), but bases its decision on the transcript and other records used at the local hearing using the following criteria:
   a. Whether the local school district governing board acted without or in excess of its jurisdiction
   b. Whether there was a fair hearing
   c. Whether there was a prejudicial abuse of discretion: not meeting procedural requirements, not supported by findings, or findings not supported by evidence
   d. Whether there is relevant and material evidence which could not have been produced or which was improperly excluded at the local hearing

8. The Board may remand the matter back to the school district for reconsideration if evidence exists in the record of the local hearing that was not presented previously.

9. The Board, in all other cases, may uphold or reverse the school district governing board’s decision; and if reversed,

10. The Board may direct the school district to expunge the expulsion from the student’s record.

**Interdistrict Attendance Appeals**

1. The student/parent must file a Notice of Appeal within 30 calendar days of receipt of denial of the permit request by the school district.

2. The County Board shall conduct a hearing within 40 school days after the appeal is filed. The 40 day timeline may be extended up to 5 school days by the Board if it is impractical to comply with the time requirement for the hearing.

3. LACOE Student Support Services Staff review the notice of appeal, and supporting documents, and shall schedule an appeal hearing with the LACOE hearing consultant (staff) within 20 school days of the filing of the appeal.

4. Staff provide support for both the student/parent and school district officials in filing the cases, and seek informal resolution if possible.

5. A hearing consultant from the staff hears the appeal matter. The appellant (student and parent) and the respondent (school district) provide factual evidence to the hearing consultant, who also asks clarifying questions to understand the respective positions of each party.
6. Following the appeal hearing, staff prepare findings which the Board reviews, and renders a final decision within 10 calendar days at the regular board meeting in open session.

7. The criteria used by the board in making a decision is the following:
   a. The student has expressed a genuine interest in an educational class or program not available in the district of residence
   b. There is evidence of threats or injuries to the student
   c. There is evidence of genuine and substantial fear of attending the school of residence
   d. Transportation problems exist which create a hardship for the student
   e. The receiving school is geographically closer to the student’s residence and is required for child care or other substantial family needs
   f. The receiving school will accept the student, and has room
   g. There is intent to change residence
   h. The proposed transfer will not create a significant, adverse, or educational impact in the district of residence
   i. Continued enrollment provides an important level of educational continuity for the student

8. Should the parent/student or the school district fail to pursue the appeal in a timely manner, (not appear for meetings or provide necessary appeal documents) the Board may deem the appeal abandoned.

9. The Board may remand the matter back to the school district for reconsideration if evidence is presented that was not provided previously.

10. The Board, in all other cases, may reverse the school district governing board’s decision and grant the appeal, or deny the appeal.

11. If the appeal is granted, the student enrolls in the desired school district of attendance, without delay.

12. The County Board is not authorized to order the specific school placement for the student. School placement is determined by the district of attendance.

13. Once a pupil is enrolled in a school, the pupil shall not have to reapply for an interdistrict transfer, and the governing board of the school district of enrollment shall allow the pupil to continue to attend the school in which he or she is enrolled, unless an agreement between the district of residence and the district of enrollment states otherwise.

14. The County Board may appoint a hearing officer or an impartial administrative panel to hear the appeals on behalf of the County Board. Delegation of such authority shall be determined by the County Board based upon the number of cases (25 families) that can reasonably be heard at any one board meeting. Even when a hearing officer or panel is used, the same timelines shall be complied with.
Special Education and Section 504 Considerations

1. Students with disabilities are to receive access to the same appeal process as all students. Consideration on whether or not to request an appeal is not based on the disability.

2. The provision of FAPE (Free Appropriate Public Education) is not being addressed in the appeal process. These concerns are referred to the Inter-SELPA process (Special Education Local Plan Area).

3. If a student is an SDC (Special Day Class) student and no space is available in the desired district, it is not appropriate to accept a student on a permit.

4. If the student is a Resource Specialist Program (RSP) student, normally an RSP placement is available at one of the schools in the district.

5. Speech and language services might also have space available in the desired district.

6. Funding should not be used as a reason to not consider an appeal.

7. Issues related to the program and services are addressed prior to the appeal process, by the IEP or 504 Team or the SELPA, as well as after the appeal is granted.

8. Stay put for students served under IDEA or Section 504 does not apply in the appeal process, because the program and services can normally be provided in another district.

9. A request for stay put or even fair hearing is addressed by the IEP Team or SELPA, and not during the interdistrict attendance appeal process.

CHECKLIST: CRITERIA FOR CONSIDERATION IN EXPULSION APPEALS

- Whether the local school district governing board acted without or in excess of its jurisdiction

- Whether there was a fair hearing

- Whether there was a prejudicial abuse of discretion: not meeting procedural requirements, not supported by findings, or findings not supported by evidence

- Whether there is relevant and material evidence which could not have been produced or which was improperly excluded at the local hearing
CHECKLIST: CRITERIA FOR CONSIDERATION IN INTERDISTRICT ATTENDANCE APPEALS

- The student has expressed a genuine interest in an educational class or program not available in the district of residence
- There is evidence of threats or injuries to the student
- There is evidence of genuine and substantial fear of attending the school of residence
- Transportation problems exist which create a hardship for the student
- The receiving school is geographically closer to the student’s residence and is required for child care or other substantial family needs
- The receiving school will accept the student, and has room
- There is intent to change residence
- The proposed transfer will not create a significant, adverse, or educational impact in the district of residence
- Continued enrollment provides an important level of educational continuity for the student

CHECKLIST: INTERDISTRICT ATTENDANCE APPEALS AND STUDENTS WITH DISABILITIES

- Students with disabilities are to receive access to the same appeal process as all students.
- Consideration on whether or not to request an appeal is not based on the disability.
- The provision of FAPE (Free Appropriate Public Education) is not being addressed in the appeal process. These concerns are referred to the Inter-SELPA process (Special Education Local Plan Area).
- If a student is an SDC (Special Day Class) student and no space is available in the desired district, it is not appropriate to accept a student on a permit.
If the student is a Resource Specialist Program (RSP) student, normally an RSP placement is available at one of the schools in the district.

Speech and language services might also have space available in the desired district.

Funding should not be used as a reason to not consider an appeal.

Issues related to the program and services are addressed prior to the appeal process, by the IEP or 504 Team or the SELPA, as well as after the appeal is granted.

Stay put for students served under IDEA or Section 504 does not apply in the appeal process, because the program and services can normally be provided in another district.

A request for stay put or even fair hearing is addressed by the IEP Team or SELPA, and not during the interdistrict attendance appeal process.
California's Suspension and Expulsion Process

2014

Los Angeles County
Office of Education

Serving Students • Supporting Communities • Leading Educators

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Child Welfare and Attendance Unit
Los Angeles County
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PIN# 2004-11-04-8160-RC-38 (Rev. 10/2013)
Educator’s Guide to California’s Suspension and Expulsion Process

A SUMMARY OF LAWS AFFECTING PUPIL SERVICES PRACTITIONERS AND PRACTICAL GUIDELINES AND SAMPLE FORMS FOR SCHOOL AND DISTRICT ADMINISTRATORS

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Special thanks to:

Vicente P. Bravo, Consultant II
Cynthia Nuñez, Administrative Assistant
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Part I

Quick Guides
to the
Suspension and Expulsion Process
SUSPENSION OVERVIEW

1. Suspension is defined as the removal of a student from ongoing instruction for adjustment purposes. Accordingly, suspension does not include: [EC 48925]
   - Reassignment to another educational program or class at the same school where the student will receive continuing instruction for the length of day prescribed for students of the same grade level;
   - Referral to a certificated employee designated by the principal to advise students; or
   - Removal from class without reassignment to another class or program for the remainder of the class period.

2. Suspension, including supervised suspension, shall be imposed only when other means of correction have failed to correct the student’s specific misbehavior. [EC 48900.5]

3. Students should not be suspended for being truant, tardy, or otherwise absent from school activities. [EC 48900(w)]

4. Students may be suspended for no more than five consecutive school days. [EC 48911(a)]

5. A student may not be suspended from school for more than 20 school days in any school year. [EC 48903(a)]
   - If a student is enrolled in or transferred to another school and/or district, the student has up to 10 more days of suspension.
   - The days of suspension from another school district may or may not be counted.
   - Exception to the limitation to days of suspension occurs when the suspension is extended pending an expulsion decision.

6. A special needs student must receive services after the tenth day of suspension. [34 CFR 300.530(b)]

7. Under IDEA, in-school suspensions are not counted as days of suspension if:
   - The student is afforded the opportunity to appropriately progress in the general curriculum,
   - The student continues to receive the services specified in the IEP, and
   - The student continues to participate with nondisabled students to the extent they would in their current placement.

Comment: As evident by the numerous legislative bills in 2012, there is a strong emphasis for schools to focus on the correction of a student’s specific misbehavior through the use of alternative or other means of correction rather than on punitive measures such as suspension and expulsion.
NOTICE OF SUSPENSION

The notice of suspension should include the following information or statements:

**Student Information**
- Name
- Date of birth
- ID number
- Grade
- Gender
- Ethnicity
- Special education classification (if applicable)
- Section 504 (if applicable)
- Parent/Guardian name
- Phone number(s)

**Incident Information**
- Date of the report
- Date of the incident
- Violation of the Education Code(s)
- Narrative of the incident/supporting information
- Number of days suspended to date
- Suspension start date/time
- Suspension end date/time
- Police report case number (if applicable)

**Statements to Include:**

- During the period of suspension, your student is not to come on any school campus nor attend any school or district sponsored event or activity. Failure to adhere to this regulation may result in additional disciplinary action.

- It is a violation of the suspension terms to loiter on public streets without adult supervision during regular school hours. Supervision of the student during the suspension is the responsibility of the student’s parent/guardian.

- EC 48911(f) requires that the parent/guardian of any student shall respond without delay to any request from school officials to attend a conference regarding his/her child’s behavior.

- The parent/guardian has the right to examine all records of his/her student, and request a meeting with the principal or designee.
Due Process Questions

- Was an informal conference held with the student prior to the suspension? If the conference was not held, state the reason pursuant EC 48911(c) under “Emergency Situation.”

  Note: Under an “emergency situation,” a student may be suspended without a conference prior to suspension if the principal, or designee, determines that the student presents a clear and present danger to the life, safety, or health of others. A conference with the student and his/her parent/guardian will be held within two schooldays.

- Was the student informed of the reason for suspension and the evidence against him/her, and was the student given the opportunity to present his/her version and evidence in his/her defense?

- Was the parent/guardian contacted and reached at the time of suspension? If yes, by what means? If no, list reasonable efforts made to contact parent/guardian pursuant EC 48911(d).

Comment: Schools should also list the violations of Education Codes 48900, 48900.2, 48900.3, 48900.4, 48900.7, and 48915. EC 48915 violations are also important to track to determine whether expulsion should be recommended and for addressing data collection, analysis and reporting purposes.
CHALLENGE TO SUSPENSION
Education Code 49070

1. Inaccu rate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a certified person, and the time and place of the observation made
5. Miscellaneous
6. In violation of the privacy or other rights of the pupil

Written request submitted by parent

(30 days)

Superintendent or designee meets with requestor and certificated employee who recorded the information (if any)

Decision

(30 days)

Request denied, requestor appeals in writing

Request approved, record is changed or destroyed

Governing Board, or hearing panel, meets with requestor and certificated employee who recorded the information (if any)

Decision

Request denied, requestor may attach rejoinder to disputed material

Request approved, record is changed or destroyed
EXPULSION OVERVIEW

1. An expulsion is commonly defined as an action taken for severe or prolonged breaches of discipline or for single acts of a grave nature.

2. Expulsion is a function of local discretion governed by state standards (i.e. Education Codes). The three basic codes are EC 48900, 48915, and 48918.

3. Each school district must have local rules and regulations governing the expulsion process.

4. Expulsion hearings may be heard by a hearing officer, an administrative hearing panel or by the local governing board. [EC 48918(c)]

5. Expulsion decisions are governed by a substantial evidence standard. This standard requires that the evidence to expel a student cannot solely be based on hearsay evidence, and should be supported by percipient witness testimony. [EC 48918(f)]

6. Most expulsions require one of the following supplemental findings: [EC 48915(b) and (e)]
   - Other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or
   - Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.

7. A decision to expel a student is subject to review by the County Office of Education. [EC 48919]
GROUND FOR EXPULSION

Mandatory Recommendation and Expulsion – EC 48915(c)

The principal or superintendent is required to immediately suspend and recommend for expulsion students determined to have committed any of the following acts:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault or sexual battery.
5. Possession of an explosive.

The district's board of education is required to order the student expelled upon finding the student committed any of the above acts. [EC 48915(d)]

Mandatory Recommendation for Expulsion – EC 48915(a)(l)

The principal or superintendent is required to recommend the expulsion of a student for any of the following acts, unless the principal or superintendent finds that expulsion is inappropriate due to the particular circumstance:

A. Causing serious injury to another person, except in self-defense.
B. Possession of any knife, or other dangerous object of no reasonable use to the student.
C. Unlawful possession of any controlled substance, except for:
   i. First offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; and
   ii. Possession of over-the-counter medication for use by the student for medical purposes or medication prescribed for the student by a physician.
D. Robbery or extortion.
E. Assault or battery upon any school employee.

Permissive Expulsion, Supplemental Findings Required – EC 48915(b) and (e)

Except for the EC 48915(c) violations, as listed above, the district's board of education may order a student expelled upon a finding that the student committed a violation of EC 48900(a) to (m), or EC 48900.2, 48900.3 and 48900.4 and meets one or both of the following supplemental findings:

1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or
2. Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.
SUSPENSION AND EXPULSION TIMELINES

Timeline – EC 48900 et seq

- Suspension by principal or designee for an EC 48900 violation
  - Informal conference [EC 48911(b)]
  - Emergency situation; conference with parent and student held within two schooldays or when student is physically able to return [EC 48911(c)]

Extension of suspension meeting by superintendent or designee; recommendation to expel [EC 48911(g)]

Manifestation determination meeting held with IEP team [20 USC 1415(k)(E); 34 CFR 300.530(e)] (Note: CA law requires it within 5 SD)

Notice of hearing sent to parent [EC 48918(b)]

- Parent request for an open hearing [EC 48918(c)]
- Expulsion hearing [EC 48918(a)]
- Decision by administrative hearing panel or hearing officer to recommend expulsion to the governing board [EC 48918(e)]

Decision to expel by the governing board taken in public session [EC 48918(j)]

- Parent/student appeal of local board decision to the county board [EC 48919]
- Expulsion appeal hearing by a hearing officer or administrative panel [EC 48915.5(a)]
- Decision by the county board [EC 48924]

Postponements – EC 48918(a)

- Student is entitled to at least one postponement of an expulsion hearing for up to 30 calendar days; request must be submitted or documented in writing. It is at the discretion of the governing board to grant any additional postponements.
- District may, for good cause, extend the time period for holding the expulsion hearing for an additional 5 schooldays.

Procedural Considerations Established by Local Policy – EC 48918

- Availability for parent to review and/or receive all documents to be used at the hearing
- Request by parent for an interpreter
- Notification to district that student will be represented by an attorney
- Request by parent for a postponement of the hearing

CD - Calendar Days   SD - Schooldays (Note: during summer recess, schooldays become weekdays)
PRE-HEARING DUE PROCESS CHECKLIST

Proper investigation – EC 48918(f)
☐ Identify participants and relevant witnesses
☐ Interview witnesses
☐ Obtain signed and dated witness statements and/or sworn declarations in a timely manner

Informal conference with student held prior to suspension – EC 48911(b)
☐ Inform the student how the incident violated Board Policy and the Education Code
☐ Present the evidence against the student
☐ Allow student an opportunity to present his/her version and evidence in his/her defense
☐ Formally suspend the student
☐ Set limits of suspension

Formal notice of suspension – EC 48911(d)
☐ Give student a written suspension notice within 24 hours
☐ Make reasonable effort to contact parent in person or by telephone at the time of suspension
☐ Mail parent written notice of suspension within 24 hours
☐ Notify appropriate law enforcement authorities, if applicable
☐ If recommending to expel, notify the superintendent/superintendent’s designee, who will then conduct a pre-expulsion conference (extension of suspension meeting) and manifestation determination meeting, if applicable

Extension of suspension – EC 48911(g)
☐ Contact parent to set up a pre-expulsion conference date
☐ Hold parent conference
☐ State the charge(s) and present the evidence against the student
☐ Allow the student and the parent the opportunity to respond or to provide any additional information that is pertinent to the specific charge(s) being addressed
☐ Determine if the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process
☐ Inform parent about interim placement and/or that the suspension was extended

Written notice of hearing – EC 48918(b) and (c)
Provide written notice of hearing at least ten (10) calendar days prior to the date of the hearing, to include the following:
☐ Date and place of the hearing
☐ Specific facts and charges upon which the proposed expulsion is based
☐ A copy of all the district’s disciplinary rules and regulations relating to the alleged violation
☐ Parent’s or student’s obligation to inform any subsequent school district of his or her status with the previous school district

☐ Parent’s and student’s right to appear in person or to be represented by legal counsel or by a non-attorney adviser

☐ Parent’s and student’s right to inspect and obtain copies of all documents to be used at the hearing

☐ Parent’s and student’s right to confront and question all witnesses who testify at the hearing, question all other evidence presented, and present oral and documentary evidence on the student’s behalf, including witnesses

☐ The hearing will be held in closed session unless the parent requests an open hearing in writing five (5) days in advance

Foster youth – EC 48911(g), 48915.5, and 48918.1

If the student is a foster child, the district superintendent or designee must notify the student’s attorney and the appropriate representative of the county child welfare agency and invite them to the:

☐ Extension of suspension meeting

☐ Manifestation determination meeting, if applicable, if the decision to recommend expulsion is a discretionary act

☐ Expulsion hearing at least 10 calendar days before the date of the hearing:
  - A “shall” if the decision to recommend expulsion is a discretionary act
  - A “may” if a recommendation of expulsion is required

The notice of the expulsion hearing may be made using the most cost-effective method possible, which may include but is not limited to, e-mail or phone call.
MANIFESTATION DETERMINATION
Special Education and Section 504

A Manifestation Determination review must be conducted within 10 days from the date of any decision to change placement due to misconduct. (Note: CA law requires it within 5 school days)

Manifestation Determination Team Responsibility – 20 USC 1415(k)(1)(E)

☐ Obtain and review all relevant information regarding the student.

☐ Use the appropriate SELPA or 504 form to guide and document the meeting.

☐ Determine:
  • If the conduct in question was caused by, or had a direct and substantial relationship to the student’s disability, or
  • If the conduct in question was a direct result of the local educational agency’s failure to implement the IEP or 504 Plan.

☐ If conduct is determined not to be a manifestation of the student’s disability:
  • Proceed with the expulsion hearing.
  • Continue to provide FAPE in expelled placement.

☐ If conduct is determined to be a manifestation of the student’s disability:
  • No further disciplinary action shall occur relative to incident.
  • Determine if IEP or placement warrants revision.
  • Conduct a functional behavioral assessment and implement (for special education)/modify behavior intervention plan (for Section 504).

Extended Removals of Special Needs Students (Interim Placement) – 34 CFR 300.530(g)

☐ School personnel are authorized to unilaterally remove a student to an alternative educational setting for up to 45 schooldays without regard to whether the student’s behavior is a manifestation of his/her disability, when the student is found to have committed any of the following violations:
  • Carried or possessed a weapon
  • Possessed or used illegal drugs
  • Sold or solicited the sale of drugs
  • Inflicted serious bodily injury

☐ The interim setting is to be determined by an IEP team.

Avenues for Appeal – 20 USC (k)(3)

☐ Parent can challenge the manifestation determination through a Fair Hearing.
Students with Exceptional Needs Not Yet Identified – 20 USC (k)(5)(B), (C) and (D)

☐ Procedural safeguards apply only if the school was on notice before the misconduct occurred.

☐ School is deemed to have knowledge if:

- Parent expressed concern in writing that his/her student is in need of special education or related services.
- Parent requested an evaluation of his/her student for special education.
- Teacher or other staff expressed concerns to the director.

☐ School is deemed not to be on notice if:

- Parent has not allowed the school to evaluate the student for special education services or has refused services.
- School conducted an evaluation and determined that the student is not eligible.
TYPES OF EVIDENCE

- **Substantial**
  A decision to expel shall be supported by *substantial evidence* relevant to the charges. Simply stated, *substantial evidence* refers to the nature and quality of evidence.

- **Relevant v. Irrelevant**
  The evidence should have a bearing on the matter at hand; it should be pertinent to the alleged EC 48900 violation or EC 48915 finding. Look for information that goes to the incident.

- **Direct**
  Evidence which directly supports a finding; no inference or presumption needed, (Example: an eyewitness who testifies that he saw the defendant hit the victim.) Direct evidence is the most convincing sort of evidence because it usually leaves little room for error.

- **Circumstantial**
  Evidence which suggests, but not necessarily demands, a finding; it requires inference or presumption. The “very nature” of circumstantial evidence “implies” the weaving of a fabric of known facts.

- **Hearsay**
  Evidence based on statements or documents made by someone other than the witness. It is evidence not of what the witness knows himself, but what he has heard from others. Hearsay evidence cannot be tested by cross-examination. There is no opportunity to resolve ambiguities in statements or documents as presented. *Note: Admissions by defendant as to conduct, made outside of the hearing, are not hearsay.*

- **Pupils in fear of testifying—EC 48918(f)—Requires findings**
  The testimony of a witness may be presented in the form of a sworn declaration if the hearing panel or governing board *finds* that the disclosure of the identity of a witness and the testimony of that witness at the hearing would subject the witness to unreasonable risk of harm. *Note: This is the exception to the direct evidence rule.*

- **Physical Evidence**
  Evidence such as items left at the scene or confiscated following the incident. (Example: weapons; controlled substances.)

- **Evidence you Create**
  Example: photograph; diagram or map of the incident location. Be sure all such items are properly marked (i.e., date, time, place, and signature of person creating the evidence).
SEARCH

When considering searching a student or his/her belongings, start by asking for permission. A student may give permission to search which would render the 4th Amendment to the Constitution limitations inapplicable. If a student refuses, the search must be supported by reasonable suspicion.

Reasonable Suspicion

1. School officials must have reasonable suspicion in order to search a student. There must be reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.

2. In conducting a student search, school officials must consider the following:
   - Age and gender of the student
   - The reasonable proximity of the time and place of the offense
   - The invasiveness of the search (e.g. no strip searches)
   - Having another staff member witness the search

3. School officials must limit the scope of the search to the evidence sought.

4. School officials are not required to notify parents prior to conducting a search.

Search of School Property

1. Student desks and lockers, school computers, software, and internet access are considered school property.

2. If parents are properly notified, school officials may search any property of the school at any time for any reason and without student consent.
INVolVEMENT OF LAW ENFORCEMENT

Required Law Enforcement Notification – EC 48902

☐ PC 245: assault with a deadly weapon or firearm by any means of force likely to produce great bodily injury (report prior to suspension)

☐ PC 626.9: possession or discharge of firearm

☐ PC 626.10: bring or possess any dangerous objects/weapons, as listed

☐ EC 48900(c): Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance (report within one school day after suspension)

☐ EC 48900(d): Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant (report within one school day after suspension)

☐ Possession or sale of narcotics or of a controlled substance

☐ EC 48915(c) violations:

1. Possessing, selling, or otherwise furnishing a firearm.

2. Brandishing a knife at another person.

3. Unlawfully selling a controlled substance.

4. Committing or attempting to commit a sexual assault or sexual battery.

5. Possession of an explosive.

The principal or designee reporting a criminal act committed by a student with exceptional needs shall provide law enforcement copies of the special education and disciplinary records of the student for consideration.

Release of Student to a Peace Officer – EC 48906

When a minor student is released to a peace officer for the purpose of removing the student from the school premises, a school official shall take immediate steps to notify the parent/legal guardian of such removal and the place to which the student is being taken.

In the case where the student is being taken into custody as a victim of suspected child abuse, the school official must provide the peace officer with the address and contact information of the student’s parent/legal guardian. It is the responsibility of the peace officer to contact the parent/legal guardian.
WITNESS STATEMENTS

Who should write a statement?

- Alleged suspect
- Alleged victim (if applicable)
- Eye witnesses
- Staff who dealt with the incident

Note: Witnesses should be separated into different rooms when writing their statements.

What if a student refuses to write a statement?

- Document that the student refused to write a statement.
- If student orally made an admission or discussed what they witnessed, staff may write the statement to document what he/she heard.

What should be included in a statement from staff?

- Location
- Date
- Time
- Description of event (facts only, in chronological order)
- Involvement
- Specific names with ID numbers or physical description
- Note other staff involved
- Refer to evidence (if applicable)
- Note any injuries
- Quote students whenever possible

What should not be included in a statement?

- Opinions or unsubstantiated statements
- Personal feelings about students
- Descriptive words that can influence the reader
- Inaccurate quotes of what others said
- Interpretation of what was said or done by someone else

Note: Just stick to the facts!

Comment: Staff may review what a student witness has written and ask the student to provide clarification; either the student or the staff member may amend the statement when done appropriately.
EXPULSION HEARING FLOWCHART

Education Codes 48915 and 48916

AHP hears the expulsion case

AHP deliberates and makes a recommendation

Expel

Suspend enforcement?

If yes, student may attend a school operated by the district

Current semester or current semester plus one more

AHP determines duration of the expulsion period

For zero tolerance offenses under EC 48915(c), up to one calendar year

AHP determines the conditions for rehabilitation

AHP prepares findings of fact for the GB

Student returns to current or another district school

Reject the AHP’s recommendations – no expulsion

Student may be transferred to another school within the district

Accept and/or amend the AHP’s recommendations

GB renders a final decision in open session

Student is offered an educational program

GB deliberates in closed session

GB hears the expulsion case

AHP: Administrative Hearing Panel; GB: Governing Board
THE EXPULSION PACKET

The following documents are recommended for inclusion in the expulsion packet submitted to the district office for processing:

☐ Narrative of the incident/violation(s) which resulted in the suspension and the reasons for recommending expulsion

☐ Suspension Notice (include both the original and amended version, if applicable)

☐ Statements by school personnel who witnessed the incident, signed and dated

☐ Statements by students, parents, or community members who witnessed the incident, signed and dated

☐ Reports/citations by law enforcement or other public agencies

☐ Photocopy of physical evidence such as weapons, narcotics, injuries, vandalism, etc. relative to this case, if applicable

☐ Photocopy of physical space, such as maps and diagrams, relative to this case, if applicable

☐ Discipline report (include signed behavior contracts, if applicable)

☐ Documentation showing other means of correction that have been applied/implemented

☐ Attendance report (include SARB contract, if applicable)

☐ Transcript

☐ Most current progress report or schedule of classes if no grades have been assigned

☐ Most current IEP or Section 504 Plan, if applicable

For the expulsion hearing, the following additional documents should be included:

☐ Extension of suspension

☐ Notice of expulsion hearing (10 calendar days prior to the date of the hearing)

☐ Duplicate notices sent to other parties as requested by the parent or required by law, such as a foster youth’s attorney and appropriate representative of the county child welfare agency

☐ Board Policy and Administrative Regulations related to expulsions and student discipline

☐ School rules disseminated to students
STIPULATED EXPULSION AGREEMENT

1. A stipulated expulsion is based on a signed agreement between the district and the parent/guardian to bypass the expulsion hearing process; the parent/guardian has voluntarily agreed to the expulsion order, and the district will recommend expulsion to the governing board.

2. The agreement is based on the following facts:
   a. The evidence presented by the school and the circumstances leading up to the expulsion recommendation are undisputable.
   b. The expulsion order is an appropriate consequence to the student’s misconduct.
   c. It is unnecessary to convene an administrative hearing panel.
   d. The parent/guardian wishes to expedite the expulsion process.
   c. It is in the best interest of the student and the district.

3. Regardless, the parent/guardian is to be informed of the student’s right to an administrative hearing. Copies of the district’s board policies and administrative regulations governing expulsion proceedings are to be provided.

4. The parent/guardian agrees to the duration, alternative placement and rehabilitation plan during the period of the expulsion order.

5. In agreeing with the stipulated expulsion, the parent/guardian must knowingly waive the following:
   a. Right to an expulsion hearing.
   b. All notices and timelines required by law in conducting an expulsion hearing.
   c. Representation by legal counsel at a hearing.
   d. Right to inspect and review the documents that would have been used at the hearing.
   e. Ability to confront and question all witnesses who would have testified at the hearing.
   f. Ability to question or object to the evidence that would have been presented at the hearing.
   g. Ability to present witnesses and evidence on the student’s behalf.
   h. Right to appeal to the County Board of Education.

6. The agreement must still be approved by the governing board.

Comment: Districts should first ensure that student discipline policies specifically address the use of stipulated expulsion. It is recommended that the agreement that the district utilizes for stipulated expulsions have provision for including a description of the misconduct as it relates to EC 48900, and a description of the findings required under EC 48915. It is further recommended that the agreement be in plain language understandable to the parent.
USE OF WITNESSES AT AN EXPULSION HEARING

1. The use of witness testimony is generally required in an expulsion hearing. To use witnesses requires some planning and preparation so that both the content and manner of the witness testimony is clear, relevant, and credible.

2. Witnesses should be called because they are perceptive to some issue or concern that is relevant to the expulsion decision (e.g., they witnessed or investigated the conduct in question or they were involved in prior interventions with the student).

3. Witnesses should feel certain and comfortable about themselves and their testimony.

4. The witness is not on trial. Although subject to cross examination, the hearing officer should not allow a witness to be harassed, badgered, or intimidated by an overly zealous advocate, administrator, parent, or attorney.

5. Witnesses should provide information in their own words in as straightforward a manner as possible. Questions of the witness should be asked clearly, briefly, and sincerely. If either party (or the hearing officer) needs additional information to further clarify a point, they will have an opportunity to request it. If a question is not understood, repeat the question for the witness.

6. Expulsion hearings are not courts of law. Technical rules of evidence, including those relating to witnesses, are not allowed. The system is designed so that the proceedings and regulations are easily understood by the lay person.

7. If notes or other documents are needed for reference, they should be organized so that they are readily available. Witnesses should be familiar with any written evidence about which they might be asked to testify.

8. Hearings can be very emotional and frequently testimony provided by one side sounds very unfamiliar to the other. It is important to be respectful to the views of the other party and to avoid verbal or facial displays of disbelief, disgust, or disappointment.

9. Terminology should be selected with care. Witnesses should avoid jargon or be prepared to define it precisely.
SWORN DECLARATIONS

1. If a student witness strongly believes that the disclosure of his/her identity as a witness would subject him/her to unreasonable risk of psychological or physical harm, the student’s testimony may be presented in the form of a sworn declaration. [EC 48918(f)]

2. The sworn declaration, in its entirety, may only be examined by the governing board, hearing officer, or administrative panel.

3. The governing board, hearing officer, or administrative panel must find that there is good cause to allow the witness testimony to be presented as a sworn declaration.

4. If the testimony is admissible as a sworn declaration, copies of the declaration will then be made available to the student recommended for expulsion during the hearing. The declaration must not include the name of the witness so that his/her identity is not disclosed.

5. It is good practice to type out a copy of the declaration and provide the copy with the original to the governing board, hearing officer, or administrative panel. It is further recommended that the parent only receive the typed copy.
WITNESS SUBPOENAS

1. A subpoena is an order from the school district requiring the appearance of an identified witness. Either a parent or a school/district official may request the issuance of a subpoena.

2. The purpose of a subpoena is to ensure that vital witnesses participate to make expulsion hearings run more effectively, provide a fair hearing, and ensure due process is met.

3. The request for a subpoena should be substantiated by more than a “bald assertion” (e.g. the person must explain why the identified witness has information that is vital to the expulsion case).

4. If it is determined by the governing board, hearing officer, or administrative panel that the identified witness would be subject to an unreasonable risk of harm by testifying at the hearing, a subpoena cannot be issued to compel the witness to personally appear at expulsion hearing to testify. The witness’ testimony can be presented in the form of a sworn declaration. [EC 48918(i)(3)]

5. Refusal to consider a subpoena request by a school district constitutes an abuse of discretion.

6. Issuance of subpoenas under EC 48918(i) is discretionary whether before or during the hearing.

7. School/district officials can meet the subpoena obligation by securing the voluntary appearance of a witness without having to issue a subpoena.

8. Service of a subpoena on a minor under the age of 12 must be made on the person having legal custody of the minor. For a minor 12 years of age or older, he/she must be served with a copy of the subpoena. [CCP 1987]

9. The witness must be offered and given, if so requested at the time of service, the fees for travel to and from the location of the hearing. The witness shall be allowed a reasonable time for preparation and travel to the hearing. [EC 48918(i)]

10. Failure by a witness to appear at the hearing may result in the initiation of contempt proceedings in the superior court in the county in which the district is located. [GC 11525]

Comment: Districts should establish protocols to address the request and issuance of subpoenas. In particular, districts need to determine what steps to take when the subpoena is requested during a hearing as it might lead to a request for postponement of the proceedings.
RESPONSIBILITIES OF THE ADMINISTRATIVE HEARING PANEL

At the Hearing

1. Hear the school’s reasons for the expulsion recommendation.
2. Hear the school’s evidence supporting the recommendation.
3. Accept or reject the evidence after hearing any objections presented by the student.
4. Hear witness testimony.
5. If a sworn declaration is submitted, determine if there is good cause to admit into evidence.
6. Hear the student’s defense.
7. Hear the student’s evidence or witness testimony, if applicable.
8. Question all parties to clarify all documents, information, and testimony presented at the hearing.
9. Prompt student to discuss his/her motivation and intent that led up to the incident.
10. Review the student’s discipline, attendance and academic records.
11. Discuss previous interventions provided by the school and family, if applicable.
12. Check for student’s understanding of school rules and expectations.
13. Ensure that due process rights have been followed by school and district personnel.

During Deliberation

1. Discuss the evidence that supports the expulsion recommendation.
   a. Recommendations based on EC 48915(c) violations need substantial evidence to prove that the student committed the act(s).
   b. All other recommendations require evidence to show that the student’s presence on campus poses a continuing danger to the physical safety of himself/herself or others; and/or evidence to show that other means of correction are not feasible or have repeatedly failed.
2. Determine whether the student should be expelled considering the following:
   a. Seriousness of the violation.
   b. Motivation and intent.
   c. Sense of remorse or acceptance of responsibility.
   d. Prior discipline – level of seriousness, connection to this incident, and interventions.
   e. Academic standing.
3. Determine the action to recommend to the governing board.
4. If the Panel recommends expulsion:
   a. Determine the conditions for rehabilitation during the period of expulsion.
   b. Determine the duration of the expulsion period.
RECOMMENDATIONS OF THE ADMINISTRATIVE HEARING PANEL

Actions to Recommend to the Governing Board
1. Not to expel; return to current school of attendance. [EC 48918(e)]
2. Not to expel; transfer to another school within the district. [EC 48918(e)]
3. Expel, but suspend enforcement. Student is to attend, but not limited to: [EC 48917]
   a. Current school of attendance.
   b. Another comprehensive school within the district.
   c. Continuation school or other alternative program within the district.
   d. Community Day School.
   e. Adult Education.
4. Expel; student is to attend, but not limited to: [EC 48915(f)]
   a. Community Day School.
   b. Adult Education.

Duration of the Expulsion Period – EC 48916(a)
1. Current semester
2. Current semester plus another semester
3. Up to one calendar year (applies to Education Code 48915(c) only)

Rehabilitation Plan Recommendations – EC 48916(b)
1. Expected number of credits to be earned from an accredited educational institution
2. Tutoring
3. Positive attendance
4. Anger management and conflict resolution skills program
5. Drug and alcohol diversion program (EC 48916.5 requires parental consent)
6. Tobacco diversion program
7. Gang diversion program
8. Individual counseling
9. Family counseling
10. Drug test
11. Restitution
12. Community service
13. Other rehabilitative programs
ADMINISTRATIVE HEARING PANEL FINDINGS

The following information should be included in the findings, along with the panel's recommendation, to be submitted to the governing board for final action:

- Administrative hearing date
- Date of report
- Case number or student identification number
- Persons present, including position/title (panel members, school/district representatives, student and representatives, witnesses)
- Charges against the student (Education Code and statement of specific violation)
- Findings of facts
  - Brief narrative of the circumstances leading up to the expulsion recommendation
  - School’s presentation of the case
  - Evidence presented at the hearing
  - Witness testimony at the hearing
  - Student’s defense
  - Other pertinent information related to the case
- Conclusion of law
  - The violation of EC 48900 committed by the student
  - Whether the violation is a zero tolerance offense under EC 48915(c)
  - If not a zero tolerance offense, how other means of correction are not feasible or have repeatedly failed to bring about proper conduct; and/or why due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others
- Recommendation for action
- Date of the Board hearing where final decision will be rendered
- Signature of panel members
STUDENT PLACEMENT

Pending Board Action
1. Pursuant to EC 48911(g), the superintendent or designee may extend suspension until the governing board renders a decision.
2. The following are placement options:
   - Home school
   - Short-term independent studies
   - Other alternative placement
   - No services (not applicable nor appropriate for students with special needs)

It is recommended that schools do provide some form of educational services to a student pending board action as there are no guarantees that the governing board will order the student expelled. Additionally, should a student not be expelled from the school district, the educational services provided to the student during this time will help ensure that instructional time was not completely lost.

During the Appeals Process
1. The student must continue to attend school at the placement offered by the school district, or
2. The parent may choose to enroll the student at another educational placement, such as, charter school, private school, alternative school, etc.

After the Appeal to the County Board
1. The County Board is not authorized to order the specific school placement for the student.
2. Whether or not the student is successful at the appeal, school placement is determined by the school district.
STUDENT EXPELLED IN ANOTHER SCHOOL DISTRICT

Expulsion for an act other than those described in EC 48915(a)(1) and (c) – EC 48915.1

1. The governing board shall hold a hearing to determine whether the student poses a continuing danger to the students or employees of the school district.

2. The hearing and notice are to be conducted in accordance to the rules and regulations prescribed in EC 48918.

3. The following actions may be taken by the governing board when deciding whether to enroll a student who has been expelled from another school district:
   a. Deny enrollment based on the determination that the student poses a potential danger; the student serves the remainder of the expulsion order
   b. Permit enrollment
   c. Permit conditional enrollment

Expulsion for any offenses listed in EC 48915(a)(1) or (c) – EC 48915.2

1. The expelled student may only be enrolled into a community day school or juvenile court school during the period of expulsion.

2. The student may enroll in a school within the school district after the expulsion order has been terminated and the governing board has determined that the student does not pose a danger to either the students or employees of the school district.
READMISSION PROCEDURE
Education Code 48916

1. On the date set for readmission, the school district must review the expulsion case, with or without the student, to determine whether the student has met the conditions for readmission.

2. If a student moves into another district at the time of readmission, the student should return to the district which expelled him/her for readmission. If the student is unable to do so, the current district of attendance may correspond with the expelling district to verify or confirm the student’s eligibility for readmission.

3. Student must be able to provide documentation of proof that he/she has satisfactorily met the conditions of the rehabilitation plan.

4. The superintendent’s designee will hold a conference with the student and his/her parent/guardian to discuss whether the student has met all conditions of the rehabilitation plan and discuss placement.

5. If the student has met the conditions of the rehabilitation plan, the Education Code requires readmission. However, if it is determined that the student continues to pose a danger to others, the student may not be readmitted.

6. If certain conditions of the rehabilitation plan were not met:
   - The superintendent’s designee has the discretion to waive these conditions if there are mitigating circumstances;
   - The superintendent’s designee may not readmit the student.

7. If the student is denied readmission, written notice stating the reasons and identifying the educational program must be provided to the parent/guardian. A new readmission date must also be established.

8. The superintendent’s designee will recommend action to the governing board.

9. Written notification to the parent/guardian of the governing board’s decision regarding the readmission action will be provided.
APPEAL TO THE COUNTY BOARD

Timelines – EC 48919
1. Appeals must be filed with the county within 30 calendar days of the original vote of the governing board to expel the student.
2. A hearing before the county administrative panel will be held within 20 schooldays.
3. The county board shall render a decision within 10 schooldays.

Scope of Review – EC 48922
The county board’s review is limited to the record of proceeding. Unless evidence was improperly excluded or, in the exercise of reasonable diligence, could not be produced at the time of the expulsion hearing, no evidence other than that contained in the record of proceeding may be heard. The review by the county board shall be limited to the following questions (the bulleted lists below each question are examples of what might be considered):
1. Whether the school district governing board acted without or in excess of its jurisdiction.
   - Expulsion hearing was not commenced within the statutory time periods
   - Expulsion order was not based upon the acts enumerated by EC 48900 et seq
   - The acts that resulted in the decision to expel were not related to school activity or attendance
2. Whether there was a fair hearing before the governing board.
   - There was evident bias on the part of the governing board or administrative hearing panel
   - Student and parent were not provided with proper notice of hearing
   - Student was denied the right to be represented by counsel
   - Student was prohibited or limited from introducing testimony of witnesses on his or her behalf
   - There was failure to consider the subpoena of percipient witnesses by the student
   - Student was not given an opportunity to confront or question any witnesses who testified at the hearing except as provided in EC 48918(f)
   - There was a failure on the part of the school district to introduce substantial evidence to support a recommendation to expel
   - Translation for non-English speaking parents throughout the expulsion process was not provided or was lacking and precluded parent from exercising educational rights
   - The hearing panel was not constituted in accordance with EC 48918(d)
3. Whether there was a prejudicial abuse of discretion in the hearing.
   - School officials did not meet the procedural requirements of applicable law
   - The decision to expel was not supported by the findings prescribed by EC 48915
   - The findings were not supported by the evidence
4. Whether there is relevant and material evidence which, in the exercise of reasonable
diligence, could not have been produced or which was improperly excluded at the hearing
before the governing board.

**Decision of the County Board – EC 48923 and 48924**

The decision of the county board is final and binding upon the student and upon the governing
board of the school district who expelled the student. The decision of the county board is limited
to the following:

1. If material or relevant material could not be produced or was improperly excluded:
   - Remand the matter back to the governing board for reconsideration, and may order
     the student to be reinstated pending reconsideration
   - Grant a de novo hearing

2. If decision to expel was not supported by findings required under EC 48915 but evidence
exists in the record of proceedings, remand to governing board for adoption of required
findings

3. In all other cases, the county board will either affirm or reverse the decision of the governing
board

4. If the decision is to reverse the local board’s decision, the county board may direct the local
board to:
   - Expunge all records and references of the expulsion; such expulsion being deemed
     not to have occurred *(see #8 on page 31)*
   - Reimburse the student of any costs the student had to bear for a written transcription
     of the record of proceeding
MAINTENANCE AND DESTRUCTION OF SUSPENSION AND
EXPULSION RECORDS

1. Suspension notices are considered “mandatory interim” records under EC 49079 for three
   school years. After three years, suspension notices may be maintained as permissive records
   in support of discipline decisions. [5 CCR 432]

2. Documentation regarding other means of correction used may be placed in the student’s
   record. [EC 48900.5]

3. A hard copy of suspension notices may be kept in the student’s cumulative file, or insert a
   reference to the separate location indicating where the suspension notices are maintained.

4. Expulsion records (i.e. the governing board’s expulsion order and the cause therefor) are
   considered “mandatory interim” records under EC 48918 for as long as the student is active.
   If the student transfers to another school district, EC 48201 requires that a copy of the
   expulsion records be sent.

5. The expulsion packet should be kept at a central location with a reference in the student’s
   cumulative file where such records are being maintained to assist with a possible expulsion
   appeal and for readmission review. Such record may be processed for destruction after
   readmission.

6. Under EC 48917, a district’s governing board may order expungement (immediate
   destruction) of a suspended enforcement expulsion order upon completion of the
   rehabilitation plan and readmission to the school district.

7. The county board may order expungement of the expulsion records upon a student’s
   successful appeal of his/her expulsion.

8. A decision to expunge an expulsion record in number 5 and 6 above, means the following:
   - Removal of all references to the expulsion (e.g. recommendations for expulsion,
     notations in the student information system, memorandums, hearing panel findings,
     board recommendations, board orders, etc.).
   - Documentations of the incident and any reference to suspension or other interventions
     (e.g. involuntary transfers, counseling, mediation, etc.) may remain.

9. Once no longer needed, suspension and expulsion records may be declared for destruction,
   and then maintained for three years pending physical destruction.
IN Voluntary Transfers

Education Code 48432.5

1. A student can be involuntarily transferred to a juvenile court school, community day school, or a continuation school.

2. Involuntary transfers to juvenile court and community day schools are allowed when the student is:
   a. Expelled;
   b. Referred by probation; or
   c. Referred by a school attendance review board or district level referral process

3. Involuntary transfers to a continuation school are allowed:
   a. When other means fail to bring about student improvement; or
   b. Upon the first time the student commits an EC 48900 violation if the principal determines that the student’s presence causes a danger to persons or property or threatens to disrupt the instructional process.

4. A student who is involuntarily transferred to a continuation school has the following rights (to be provided in writing to the student and the student’s parent/guardian):
   a. Object to the transfer
   b. Request a meeting with school staff before the transfer
   c. Be provided with the specific facts and reasons for the proposed transfer
   d. Inspect all documents the school is using as supporting evidence for their decision to request the transfer
   e. Question the school’s evidence and any witnesses
   f. Present any evidence on behalf of the student
   g. Have one or more representatives and witnesses to be present at the meeting

5. The final decision to involuntarily transfer a student cannot be made by a member of the school staff in which the student is enrolled at the time that the decision is made.

6. The duration of the involuntary transfer must end at the end of the semester following the semester during which the acts that led to the involuntary transfer occurred.
Part II

Sample Forms and Letters
PRINCIPAL’S DESIGNEE

For schools with only a principal:

Pursuant to California Education Code 48911(a), the principal of the school, the principal’s designee, or the superintendent of the schools may suspend a student from school. As there are no other administrators on site and pursuant to California Education Code 48911(h), I, (name of principal), as principal of (name of school) in the (name of school district), hereby designate (name of a certificated staff), (title/position), as my primary designee to assist with disciplinary procedures for the (2013-2014) school year. I further designate (name of a certificated staff), (title/position), as my secondary designee for the (2013-2014) school year when the primary designee and I are not at the school site.

A copy of this letter is on file in the Principal’s Office and has been provided to (district administrator overseeing student discipline), (title/position).

_________________________  __________________________
Principal’s Signature  Date

For schools with a principal and assistant principal(s) or other site administrator(s):

Pursuant to California Education Code 48911(a), the principal of the school, the principal’s designee, or the superintendent of the schools may suspend a student from school. I, (name of principal), as principal of (name of school) in the (name of school district), hereby designate the following administrators to assist with disciplinary procedures for the (2013-2014) school year: (list names and titles/positions below)

In the event that neither I nor another administrator is at the school site, I hereby designate (name of a certificated staff), (title/position), as my primary designee for the (2013-2014) school year. I further designate (name of a certificated staff), (title/position), as my secondary designee for the (2013-2014) school year when the primary designee is not at the school site.

A copy of this letter is on file in the Principal’s Office and has been provided to (district administrator overseeing student discipline), (title/position).

_________________________  __________________________
Principal’s Signature  Date
NOTICE OF SUSPENSION

Date: ____________________ School: ____________________ Date of Incident: ____________________

TO THE PARENT/GUARDIAN OF: ____________________ ____________________ ____________________ ____________________

DOB: _____________ Grade: ______ Gender: ______ Special Ed: ☐ Yes ☐ No Section 504: ☐ Yes ☐ No

Days suspended for this incident: ______ Start Date: ______ End Date: ______ Total days suspended this year: ______

Per EC 48900(s), students may be suspended or expelled for acts listed below which occur at any time, if the act is related to school activity or school attendance.

Your child is being suspended for violation of Education Code (EC) 48900:

☐ a.1 Caused, attempted to cause, or threatened to cause physical injury to another person.
☐ a.2 Willfully used force or violence upon the person of another, except in self-defense.
☐ b. Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object.
☐ c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance
☐ d. Unlawfully offered, arranged or negotiated to sell a controlled substance, alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person an imitation.
☐ e. Committed or attempted to commit robbery or extortion.
☐ f. Caused or attempted to cause damage to school or private property.
☐ g. Stolen or attempted to steal school or private property.
☐ h. Possessed or used tobacco, or products containing tobacco or nicotine products.
☐ i. Committed an obscene act or engaged in habitual profanity or vulgarity.
☐ j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia.
☐ k. Disrupted school activities or otherwise willfully defied the valid authority of school personnel.
☐ l. Knowingly received stolen school or private property.
☐ m. Possessed an imitation firearm.
☐ n. Committed or attempted to commit a sexual assault or sexual battery.
☐ o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding.
☐ p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
☐ q. Engaged in, or attempted to engage in, hazing.
☐ r. Engaged in an act of bullying.
☐ 48900.2 Committed sexual harassment (Grades 4-12 only).
☐ 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence (Grades 4-12 only).
☐ 48900.4 Intentionally harassed, threatened, or intimidated, creating a hostile educational environment (Grades 4-12 only).
☐ 48900.7 Made terroristic threats against school officials and/or school property.

EC 48915(a)(1) requires a recommendation for expulsion for the following act committed by your child unless expulsion is found to be inappropriate due to the circumstances:

☐ A. Causing serious physical injury to another person, except in self-defense.
☐ B. Possession of a knife or other dangerous object.
☐ C. Unlawful possession of any controlled substance.
☐ D. Robbery or extortion.
☐ E. Assault or battery upon a school employee.

Narrative of the incident/supporting information:

________________________________________________________________________

Note: During this period of suspension, your child is not to come on or near any school campus, nor attend any school or district sponsored event or activity. Failure to adhere to this regulation will result in additional disciplinary action. It is a violation of the suspension terms to loiter on public streets without adult supervision during regular school hours. Supervision of the student during the suspension is the responsibility of the student's parent/guardian.

An informal conference was held with the student prior to the suspension: ☐ Yes ☐ No

Student was informed of the reason for suspension and was given opportunity to provide an explanation: ☐ Yes ☐ No

Parent notification by: ____________________ ☐ Phone ☐ Letter ☐ Conference ☐ Reasonable effort ____________________

Signature of Administrator/Designee: ____________________ Title: ____________________

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NOTIFICACIÓN DE SUSPENSION

Fecha: ______________  Escuela: __________________________  Fecha del Incidente: ______________

AL PADRE/TUTOR DE: __________________________  ID # del Estudiante: __________________________

Fecha de Nacimiento: ______________  Grado: ___  Sexo: ___  Educación Especial: [ ] Sí [ ] No  Sección 504: [ ] Sí [ ] No

Días suspendido por este incidente: ___  Fecha empezando: ___  terminando: ___  Días en total suspendido este año: ___

Según CE 48900(s), los alumnos pueden ser suspendidos o expulsados en cualquier momento por los actos descrito abajo si el acto está relacionado con una actividad escolar o la asistencia a la escuela.

Su hijo está suspendido por violación del Código Educativo (CE) 48900:

☐ a.1 Causó, intentó causar, o amenazó con causar daño físico a otra persona.
☐ a.2 Uso premeditado de fuerza o violencia a una persona, excepto en defensa propia.
☐ b. Poseyó, vendió o de otra manera equipó con cualquier arma de fuego, cuchillo, explosivo u otros objetos peligrosos.
☐ c. Poseyó, usó, vendió, o de otra manera suministró ilegalmente o estaba drogado con, una sustancia controlada.
☐ d. Ofreció ilegalmente, arregló o negoció vender una sustancia controlada, bebida alcohólica, o cualquier tipo de estupefaciente, y después vendió, propició, o de otra manera suministró a otra persona una imitación.
☐ e. Cometió o intentó cometer robo o extorsión.
☐ f. Causó o intentó causar daño a la escuela o a propiedad privada.
☐ g. Robó o intentó robar propiedad de la escuela o propiedad privada.
☐ h. Poseyó o usó tabaco, o productos que contiene productos de tabaco o nicotina.
☐ i. Cometió un acto obsceno o estuvo involucrado en actos habituales de profundar o vulgaridad.
☐ j. Poseyó ilegalmente un arma, arregló, o negoció vender bienes parafinales.
☐ k. Interrumpió las actividades escolares o de otra manera definió ilegalmente la autoridad válida del personal escolar.
☐ l. Recibió a sabiendas propiedad robada de la escuela o propiedad privada.
☐ m. Poseyó una arma de fuego de imitación.
☐ n. Cometió o intentó cometer un asalto sexual o agresión sexual.
☐ o. Acoso, amenazó o intimidó a un alumno que es testigo de un procedimiento disciplinario.
☐ p. Ofreció, arregló vender, negoció vender, o vendió ilegalmente la droga Soma.
☐ q. Tomó parte en, o intentó tomar parte en novatadas.
☐ r. Tomó parte en un acto de hostigamiento.
☐ 48900.2 Cometido acoso sexual (Solo grados 4-12).
☐ 48900.3 Causó, intentó causar, amenazó con causar, o participó en un acto de violencia por odio (Solo grados 4-12).
☐ 48900.4 Tomó parte adrede en acoso, amenaza o intimidación, creando un ambiente educativo hostil (Solo grados 4-12).
☐ 48900.7 Hizo amenaza terrorista contra los oficiales escolares y/o la propiedad de la escuela.

CE 48915(a)(1) obliga la recomendación para la expulsión por la siguiente violación cometida por su hijo, a menos que se encuentre que la expulsión es poco apropiada debido a una circunstancia particular:

☐ A. Causar herida física grave a otra persona, excepto en defensa propia.
☐ B. Posesión de cualquier cuchillo u otro objeto peligroso.
☐ C. Posesión ilegal de cualquier sustancia controlada.
☐ D. Robo o extorsión.
☐ E. Asalto o agresión contra un empleado de la escuela.

CE 48915(c) obliga la suspensión y recomenda para la expulsión por la siguiente violación cometida por su hijo:

☐ 1. El poseer, vender, o de otra manera equipar con un arma de fuego.
☐ 2. Blandir un cuchillo a otra persona.
☐ 3. Vender ilegalmente una sustancia controlada.
☐ 4. Cometer o intentar cometer un asalto o agresión sexual.
☐ 5. Posesión de un explosivo.

Narrativa del Incidente/Información de Apoyo:

______

Aviso: Durante este período de suspensión su hijo no podrá estar en o acercarse a ningún plantel ni podrá asistir a ninguna actividad auspiciada por el distrito o la escuela. Falta de adhesión a este reglamento puede resultar en acción disciplinaria adicional. Es una violación de las condiciones de la suspensión perder el tiempo en las calles públicas sin supervisión de un adulto durante las horas de escuela. La supervisión del estudiante durante la suspensión es la responsabilidad del padre/tutor del estudiante.

Tuvo una conferencia informal con el alumno antes de asignar la suspensión: [ ] Sí [ ] No
El alumno fue avisado de la razón para la suspensión y tenía la oportunidad de proveer una explicación: [ ] Sí [ ] No
Padre notificado por: __________________________  [ ] Teléfono  [ ] Carta  [ ] Conferencia  [ ] Esfuerzos razonables

Firma del Administrador/Designado: __________________________  Puesto: __________________________
NOTICE OF SUSPENSION LETTER

Sample in English (remember to include date of the letter)

Dear Mr. and Mrs. ________:

On (date of the incident) your child committed a violation of Education Code (code and code language). Specifically, (name of student) (brief description of the specific incident).

Based on the evidence gathered in the investigation of the incident, your child will be suspended for a period of (number of days) consecutive school days, from (start date and time) to (end date and time).

During this period of suspension, (name of student) is not to come on or near any school campus, nor attend any school or district sponsored event or activity. Failure to adhere to this regulation will result in additional disciplinary action. Please be aware that it is a violation of the suspension terms to loiter on public streets without adult supervision during regular school hours. Supervision of the student during the suspension is the responsibility of the parent/guardian.

We request that on the day (name of student) returns to school on (return date and time), you attend a meeting with (name of administrator and title). At this meeting, information regarding this incident and your child’s conduct will be reviewed. We will also discuss possible interventions and corrective measures that can be implemented to assist your child.

If you need to reschedule the meeting time and date, and/or have additional questions and concerns, please contact (name of administrator and title) at (phone number and/or email address).

Sample in Spanish

Estimados Sr. y Sra. ________:

El (date of the incident) su hijo cometió una violación del Código Educativo (code and code language). Específicamente, (name of student) (brief description of the specific incident).

Basado en las pruebas obtenidas en la investigación del incidente, su hijo será suspendido por un periodo de (number of days) días escolares consecutivos, desde (start date and time) a (end date and time).

Durante este periodo de suspensión, (name of student) no podrá estar en o acercarse a ningún plantel ni podrá asistir a ninguna actividad auspiciada por el distrito o la escuela. Falta de adhesión a este reglamento puede resultar en acción disciplinaria adicional. Tomé en cuenta que es una violación de las condiciones de la suspensión perder el tiempo en las calles públicas sin supervisión de un adulto durante las horas de escuela. La supervisión del estudiante durante la suspensión es la responsabilidad del padre/tutor.

Pedimos que el día que (name of student) regresa a la escuela el (return date and time), usted asista a una reunión con (name of administrator and title). En esta reunión, se revisará información sobre el incidente y la conducta de su hijo. También vamos a discutir posibles intervenciones y medidas correctivas que pueden ser implementadas para ayudar a su hijo.

Si usted necesita reprogramar la fecha y la hora de la reunión y/o tiene más preguntas, por favor comuníquese con (name of administrator and title) al (phone number and/or email address).
EXTENSION OF SUSPENSION

Sample in English (remember to include date of the letter)

Dear Mr. and Mrs. ________:

On (date of the incident) your child was allegedly involved in a violation of Education Code (code and description).

Based on the information gathered on the incident, it was determined that there is sufficient evidence to merit an expulsion recommendation. Therefore, your child’s suspension from school is extended until such time as the Governing Board of the (name of school district) has rendered a decision in this matter, as permitted by California Education Code 48911(g). A formal notice of the hearing before an Administrative Hearing Panel will be sent to you.

During this period of suspension, your child is to remain away from all school district property, and all school and district sponsored activities. Your child will be treated as a trespasser, and arrested as such, if found on any school district property or at any activities. Supervision of your child during the suspension is the responsibility of the parent/guardian. If you enroll your child at another school district, you are required to inform the new school that your child has a pending expulsion hearing with the (name of school district).

If you have any further questions, please contact (office, name, position, and phone number).

Sincerely,

Sample in Spanish

Estimados Sr. y Sra. ________:

El (date of the incident) su hijo estaba implicado supuestamente en una violación del Código Educativo (code and description).

Basado en la información obtenida sobre el incidente, fue determinado que hay suficiente pruebas que merece una recomendación para la expulsión. Por lo tanto, la suspensión de la escuela de su hijo será extendida hasta tal tiempo que la Mesa Directiva de Educación del (name of school district) haya rendido su decisión en este asunto, como se permite bajo el Código Educativo de California 48911(g). Les mandaremos una notificación por escrito de la audiencia ante el jurado administrativo.

Durante este periodo de suspensión, su hijo no debe acercarse a ninguna propiedad del distrito escolar, ni actividades auspiciadas por el distrito o escuela. Trataremos a su hijo como un intruso, y lo detendremos como si fuera un intruso, si lo encontramos en cualquiera propiedad del distrito escolar o actividades. La supervisión de su hijo durante la suspensión es la responsabilidad del padre/tutor. Si inscribe a su hijo en otro distrito escolar, se requiere que informe a la nueva escuela que su hijo tiene una audiencia de expulsión pendiente con el (name of school district).

Si tienen más preguntas, por favor comuniquense con (office, name, position, and phone number).

Sinceramente,
NOTICE OF EXPULSION HEARING

Sample in English (remember to include date of the letter)

Dear Mr. and Mrs. ________:

This letter is to inform you that you and your child are to appear before the Administrative Hearing Panel to consider possible expulsion from the (name of school district) for violation of Education Code (code and description). The time, date and location of the hearing are as follow:

Date:

Time:

Location:

Any request for postponement must be made in writing and must be received at least five (5) school days prior to the date of the hearing. Your student is entitled to at least one postponement for a period of not more than thirty (30) calendar days.

The expulsion hearing will be conducted by an impartial administrative hearing panel. This hearing will be held in closed session unless you request, at least five (5) school days prior to the date of the hearing, that it be held in a public meeting.

You are hereby notified that you and your child have the right to:

1. Appear in person before the hearing panel.
2. Be represented by legal counsel or non-attorney adviser, in which case, the District is to be notified in writing at least five (5) school days prior to the date of the hearing so that the District can be equally represented.
3. Inspect and obtain copies of all documents to be used at the hearing.
4. Confront and question all witnesses who testify at the hearing.
5. Question all evidence presented at the hearing.
6. Present oral and documentary evidence on the student’s behalf, including witnesses.
7. Appear before the Board of Education, if expulsion is recommended, to speak in your child’s behalf. Notification of appearance must be provided to the District at least five (5) school days prior to the date of the board meeting.

At the conclusion of the hearing, the Administrative Hearing Panel will deliberate and present its findings and recommendations to the Board of Education at its next regularly scheduled meeting. A formal notice of the board meeting will be sent to you.

Pending the final decision of the Board of Education, your child is to remain away from all school district property, and all school and district sponsored activities.

If you have any further questions regarding expulsion proceedings, or wish to waive the right to this hearing based on your child’s admission of the charges, please contact (office, name, position, and phone number).

Sincerely,
Estimados Sr. y Sra. ______:

Esta carta es para informarles que ustedes y su hijo deben comparecer ante el Jurado de la Audiencia Administrativa para considerar la posibilidad de expulsión del (name of school district) por violación del Código Educativo (code and description). Lo siguiente es información del tiempo, fecha y lugar de la audiencia:

Fecha:
Hora:
Lugar:

Cualquier solicitud de aplazamiento debe ser presentada por escrito por lo menos cinco (5) días escolares antes del día de la audiencia. Su estudiante por lo menos tiene el derecho a un aplazamiento no más de treinta (30) días calendario.

La audiencia de expulsión será presentada por un jurado administrativo imparcial. Esta audiencia será reunida en sesión cerrada a menos que soliciten, por lo menos cinco (5) días escolares antes del día de la audiencia, que se reúna en sesión abierta.

Ustedes son notificados por este medio que ustedes y su hijo tienen el derecho a:

1. Aparecer en persona ante el jurado de la audiencia.
2. Ser representados por un abogado o consejero, en cual manera, el Distrito será notificado por escrito por lo menos cinco (5) días escolares antes del día de la audiencia para que el Distrito por igual pueda ser representado.
3. Examinar o obtener copias de todos los documentos que se van a usar en la audiencia.
4. Confrontar y cuestionar todos los testigos quienes testifiquen en la audiencia.
5. Cuestionar toda la prueba presentada en la audiencia.
6. Presentar evidencia oral o documentada a favor del estudiante, incluyendo testigos.
7. Aparecer ante la Mesa Directiva de Educación, si recomienda expulsión, para interceder por su hijo. Deben suministrar una notificación de su apariencia al Distrito por lo menos cinco (5) días escolares antes del día de la junta de la mesa directiva.

A la conclusión de la audiencia, el Jurado de la Audiencia Administrativa deliberará y presentará sus reconocimientos y recomendaciones a la Mesa Directiva en la próxima sesión regular. Les mandaremos una notificación por escrito de la audiencia ante la junta de la mesa directiva.

Pendiente la decisión final de la Mesa Directiva, su hijo no debe acercarse a ninguna propiedad del distrito escolar, ni actividades auspiciadas por el distrito o escuela.

Si tienen más preguntas sobre los procedimientos de la expulsión, o desean renunciar al derecho de esta audiencia basado en el reconocimiento de su hijo de los cargos, por favor comuniquense con (office, name, position, and phone number).

Sinceramente,
HEARING PROCEDURE FOR EXPULSION

A. Opening

It is (time) a.m. / p.m. on (date). My name is (name of presiding officer) and I will preside over the hearing today. We are now in session and the hearing is called to order.

The Panel is comprised of three individuals, none of whom are members of the governing board or employed on the staff of the school in which the student is enrolled. The panel members are: (list names and positions of panel members)

This meeting is held pursuant to Education Code section 48918 for the purpose of determining whether (student name & ID#) should be expelled from further school attendance in the (name of school district). The letter notifying the student and the parent of the expulsion hearing states the reason for the recommendation is/are for violation of Education Code section(s) (code and brief narrative of specific violation).

It is necessary to respond clearly and distinctly because a tape recording is being made of this hearing. Be sure that only one person speaks at a time so the record is clear. Do not interrupt another speaker. If a speaker makes a statement with which you disagree, make a note of the objectionable statement and you will have an opportunity to respond to the statement. If you need to break for any reason, please let me know and we will take one. The parent has agreed that this hearing be conducted in closed session because no request in writing was made at least five days prior to this hearing to have it held in public session.

a) For the record, would the representatives for the parties please identify themselves by stating your name and title/position? (Student, parent, school, other witnesses).

OR

b) For the record, the student and parent were advised of the hearing in a timely manner, but have chosen not to appear before the panel. The hearing will proceed as scheduled since no written request for postponement has been submitted by the parent.

At this time, will all witnesses present in the room please stand. Please raise your right hand. Do you solemnly swear or affirm that the testimony you shall give in this matter is the truth, the whole truth, and nothing but the truth?

Please be seated.

B. Hearing Procedure

The following procedures shall govern the conduct of this hearing:

Formal rules of evidence will not apply here, but I will keep these proceedings in order. Hearsay evidence is admissible, but it is not sufficient by itself to support the findings. Findings must be supported by some direct evidence.
The District has the burden of proving the allegations stated in the notice of the hearing letter. Within three days of the conclusion of this hearing, this Panel will determine whether to recommend expulsion to the governing board.

This Panel may make 3 general determinations: 1) decide to recommend a full expulsion; 2) decide to recommend an expulsion with suspended enforcement; or 3) decide not to expel the student. If this Panel decides not to recommend expulsion, the student will be immediately reinstated and permitted to return to an instructional program. If this Panel recommends for expulsion, the matter will then be decided by the governing board who may or may not accept the recommendation to expel and/or any other recommendations this Panel may provide.

1. Each party will begin with an opening statement.

2. Evidence and witnesses may then be presented by each party.

3. Witnesses may be questioned by the opposing party.

4. Any member of the Panel may question any evidence or witness at any time.

5. Each party may rebut the other’s evidence.

6. Closing arguments will presented by each party.

7. The Panel will deliberate in closed session and make recommendations to the governing board within three school days.

Are there any questions?

Are we ready to proceed?

C. Opening Statements

Opening statements may be made by each party at this time. The School will go first. The Student or Representative may defer his/her opening statement until the time for presentation of his/her case. An opening statement is a brief statement of what you expect to prove during this hearing. It is not evidence.

To the school:
Please give your opening statement.

To the student:
Would you like to give your opening statement at this time or defer it until later?

D. Presentation of the District’s Evidence for Expulsion

The District offers in evidence for jurisdictional purposes the following documents:
(list the exhibits)
Are there any objections to admission of the documents as evidence? If there are objections, arguments may be heard from each side after which the Panel will either admit or reject the document.

Does the Panel accept these documents submitted into evidence at this hearing?

E. Presentation of Evidence by the School

Does the School have any witnesses?

If yes, for each witness:
Please give your full name and spell your last name.

Please raise your right hand. Do you solemnly swear or affirm that the testimony you shall give in this matter is the truth, the whole truth, and nothing but the truth?

Please be seated.

Does the School have questions for this witness?

Does the Student, Parent or Representative have any questions for this witness?

Does the Panel have any questions for this witness?

Is there any need to have the witness wait for further questions later on?

If a Declaration of Witness Subject to Unreasonable Risk of Harm is presented:
The School is presenting a Declaration of Witness Subject to Unreasonable Risk of Harm pursuant Education Code 48918 (f).

To the parent:
Are you willing to accept the statement as testimony, which means that you do not necessarily accept the statement as true?

To the panel:
Do you admit this Declaration into evidence, and for what reasons do you admit or not admit this evidence?

F. Presentation of Evidence by the Student

If the student deferred making an opening statement, the student may make one at this time.

Does the Student have any witnesses?

If yes, for each witness:
Please give your full name and spell your last name.
Please raise your right hand. Do you solemnly swear or affirm that the testimony you shall give in this matter is the truth, the whole truth, and nothing but the truth?

Please be seated.

Does the Student, Parent or Representative have questions for this witness?

Does the School have any questions for this witness?

Does the Panel have any questions for this witness?

Is there any need to have the witness wait for further questions later on?

At the conclusion of all witnesses:
Are there any other witnesses, documents or other information the Student would like to present at this time? We want you to have a full opportunity to present any information you want related to this incident.

G. Closing Arguments

Now that each party has finished presenting its case, we will proceed to closing arguments.

To the school:
Please give your closing argument.

To the student:
Please give your closing argument

To the school:
Since the School has the burden of proof, do you wish to make a rebuttal closing statement?

H. Closing

The hearing is concluded. The Panel will privately deliberate and determine whether to recommend the expulsion of the student to the governing board or decide not to recommend expulsion. If the Panel decides not to recommend expulsion, the expulsion proceedings shall be terminated and the student will be immediately reinstated and permitted to return to an instructional program. The decision not to recommend expulsion is final.

If the Panel recommends expulsion, findings of fact in support of the recommendation will be prepared and submitted to the governing board. The recommendation may be to:
1. Expel for the remainder of this semester.

2. Expel for the remainder of this semester and the next semester.

3. Expel for one calendar year (or a date within the calendar year).

4. Expel and suspend enforcement. In this case, the student will be allowed to return to a school within the (name of school district) with some contingencies.

The Board will consider the Panel’s findings and recommendations at its next regularly scheduled meeting on (date of Board hearing). You have the right to be present during the meeting, but should you decide not to appear before the Board, you will be advised of its decision.

This concludes the hearing for (student name and case number). The hearing is closed at (time) a.m. / p.m.
PROCEDIMIENTO DE LA AUDIENCIA DE UNA EXPULSION

A. Inicio

Son las (time) a.m. / p.m. del día (date). Mi nombre es (name of presiding officer) y presidiré la audiencia del día de hoy. Estamos en sesión y la audiencia se llama a la orden.

El Jurado está compuesto por tres individuos, ninguno de los cuales son miembros de la mesa directiva gobernante ni son empleados de la escuela donde está inscrito el estudiante. Los miembros del jurado son: (list names and positions of panel members)

Esta junta se lleva a cabo de acuerdo con la sección 48918 del Código Educativo con el propósito de determinar si (student name and ID#) debe ser expulsado de su asistencia al (name of school district). La carta notificando al estudiante y al padre de la audiencia de expulsión, declara que el motivo de la recomendación es por la violación de las secciones del Código Educativo (code and brief narrative of specific violation).

Es necesario responder de manera clara ya que se está haciendo una grabación de esta audiencia. Asegúrese de que solo una persona hable a la vez para que la grabación sea clara. No interrumpa a otro ponente. Si algún ponente hace una declaración con la cual usted esté en desacuerdo, haga una anotación de la declaración objetable y usted tendrá la oportunidad de responder. Si por algún motivo necesita un receso, por favor hágamelo saber para tomarlo. El padre está de acuerdo con que esta sesión se lleve a cabo de manera cerrada ya que no se presentó una solicitud por escrito, al menos 5 días antes de esta audiencia, para que se lleve a cabo como sesión publica.

a. Para el registro, podrían los representantes de las partes identificarse declarando su nombre y título/puesto? (estudiante, padre, escuela u otros testigos).

OR

b. Para el registro, el estudiante y el padre fueron informados de la audiencia de manera oportuna pero han decidido no aparecer ante el jurado. La audiencia procederá como se programó ya que el padre no presentó una solicitud por escrito para posponerla.

Todos los testigos presentes en la sala deben ponerse de pie en este momento. Por favor levanten su mano derecha. ¿Solemnemente juran o afirman que el testimonio que darán en este asunto es la verdad, toda la verdad y nada más que la verdad?

Favor de tomar asiento.

B. Procedimiento de la Audiencia

Los siguientes procedimientos gobernarán la conducción de esta audiencia:

No aplicarán reglas formales de evidencia pero mantendré estos procedimientos en orden. Evidencia no confirmada es admisible pero no es suficiente por sí misma para apoyar el resultado. El resultado debe ser apoyado por alguna evidencia directa.
El Distrito tiene el peso de proporcionar las acusaciones declaradas en la carta de notificación de la audiencia. Dentro de los siguientes tres días de haber concluido con esta sesión, este Jurado determinará si debe recomendar la expulsión a la mesa directiva gobernante.

Este Jurado puede hacer 3 recomendaciones generales: 1) puede decidir recomendar una expulsión completa; 2) puede decidir recomendar una expulsión con cumplimiento suspendido; o 3) puede decidir que el estudiante no sea expulsado. Si este Jurado decide no recomendar una expulsión, el estudiante debe ser reinstaurado inmediatamente y se le debe permitir regresar a un programa de instrucción. Si este Jurado recomienda la expulsión del estudiante, este asunto será decidido por la mesa directiva gobernante que puede o no aceptar la recomendación para la expulsión y/u otras recomendaciones que este Jurado pueda proveer.

1. Cada parte comenzara con una declaración inicial.
2. Cada parte puede presentar su evidencia y sus testigos.
3. Los testigos pueden ser cuestionados por las partes opuestas.
4. Cualquier miembro del Jurado puede cuestionar cualquier evidencia o testigo en cualquier momento.
5. Cada parte puede refutar la evidencia del otro.
6. Cada parte presentara argumentos de conclusión.
7. El Jurado deliberará en sesión cerrada y hará recomendaciones a la mesa directiva gobernante dentro de los siguientes tres días escolares.

¿Hay preguntas?
¿Estamos listos para proceder?

C. Declaraciones de Inicio

En este momento cualquiera de las partes puede hacer declaraciones de inicio. Primero será la Escuela. El Estudiante o su Representante puede retrasar su declaración inicial hasta el momento de la presentación de su caso. Una declaración inicial es una declaración breve de lo que usted espera probar durante esta audiencia. No es evidencia.

A la escuela:
Por favor dé su declaración inicial.

Al estudiante:
¿Quisiera dar su declaración inicial en este momento o lo retrasa para después?

D. Presentación de la Evidencia de Expulsión del Distrito
El Distrito ofrece los siguientes documentos como evidencia con propósito jurisdiccional: (list exhibits)

¿Hay objeción hacia la admisión de los documentos como evidencia? Si hay objeciones, se pueden escuchar argumentos de todas las partes y después el Jurado admitirá o rechazará el documento.

¿El Jurado acepta estos documentos presentados como evidencia en esta audiencia?

E. Presentación de Evidencia por la Escuela

¿La escuela tiene testigos?

Si es así, para cada testigo:
Por favor dé su nombre completo y delectree su apellido.

Por favor levante su mano derecha. ¿Solemnemente jura o afirma que el testimonio que dará en este asunto es la verdad, toda la verdad y nada más que la verdad?

Por favor tome asiento.

¿La Escuela tiene preguntas para este testigo?

¿El Estudiante, Padre o Representante tiene preguntas para este testigo?

¿El Jurado tiene preguntas para este testigo?

¿Hay necesidad de que el testigo espere a ser cuestionado después?

Si se presenta una Declaración de un Testigo que esta en Riesgo de Daño:
La Escuela esta presentando una Declaración de un Testigo que esta en Riesgo de Daño de acuerdo al Código de Educación 48918 (f).

Al Padre:
¿Está dispuesto a aceptar la Declaración como testimonio, lo cual significa que no necesariamente acepta la Declaración como verdadera?

Al Jurado:
¿Admite esta Declaración en la evidencia, y por qué razones admite o no admite esta evidencia?

F. Presentación de Evidencia por el Estudiante

Si el estudiante decidió retrasar su declaración inicial, el estudiante puede hacerlo en este momento.
¿El estudiante tiene testigos?

Si es así, para cada testigo:
Por favor dé su nombre completo y deletrée su apellido.
Por favor levante su mano derecha. ¿Solemnemente jura o afirma que el testimonio que dará en este asunto es la verdad, toda la verdad y nada más que la verdad?

Por favor tome asiento.

¿El Estudiante, Padre o Representante tiene preguntas para este testigo?

¿La Escuela tiene preguntas para este testigo?

¿El Jurado tiene preguntas para este testigo?

¿Hay necesidad de que el testigo espere a ser cuestionado después?

Al concluir con todos los testigos:
¿Hay más testigos, documentos u otra información que el Estudiante quiera presentar en este momento? Queremos que tenga una oportunidad completa de presentar cualquier información relacionada con este incidente.

G. Argumentos Finales

Ya que todas las partes han terminado de presentar su caso, procederemos con los argumentos finales.

A la escuela:
Por favor de su argumento final

Al estudiante:
Por favor de su argumento final

A la escuela:
¿Ya que la escuela tiene el peso de las pruebas, quisiera refutar con una declaración final?

H. Final

La audiencia ha concluido. El Jurado deliberara en privado y llegara a una decisión con respecto a su recomendación para la mesa directiva gobernante.

La audiencia ha concluido. El Jurado deliberará en privado y determinará si va a recomendar la expulsión del estudiante a la mesa directiva gobernante o decidir no recomendar la expulsión. Si el Jurado decide no recomendar la expulsión, los procedimientos de expulsión deberán ser terminados y el estudiante debe ser reinstaurado inmediatamente y se le debe permitir regresar a un programa de instrucción. La recomendación de no expulsar es final.
Si el Jurado recomienda la expulsión, reconocimientos y recomendaciones que apoyen la recomendación para expulsar serán preparados y presentados a la mesa directiva gobernante. La recomendación puede ser:

1. No expulsar.

2. Expulsar por el resto del semestre.

3. Expulsar por el resto de este semestre y el próximo semestre.

4. Expulsar por un año calendario.

5. Expulsar y suspender ejecución. En este caso, se permitirá que el estudiante regrese a la escuela dentro del (name of school district) con algunas contingencias.

La Mesa Directiva considerará los reconocimientos y las recomendaciones del Jurado en la próxima junta programada regularmente el (date of Board meeting). Tiene el derecho de estar presente durante esta junta, pero si decide no aparecer ante la Mesa Directiva, se le informará de su decisión.

Esto concluye la audiencia para (student name and case number).

Esta audiencia se cierra a las (time) a.m. / p.m.
ADMINISTRATIVE HEARING PANEL FINDINGS

Date of Hearing: 
Student’s Name: 
Date of Birth: 
School: 
Grade: 

Administrative Panel Members: (list names, titles/positions, work location; indicate panel chair)

Present for the School: (name, title/position, work location of person(s) presenting the case)
Present for the Student: (include name of student if present, relationship to student)
Others Present: (i.e. district facilitator, secretary/recorder, etc.)

Witness(es) for the School: (name, title/position or relationship to the student)
Witness(es) for the Student: (name, relationship to the student)

Background

Describe the incident that resulted in a recommendation to expel. Include the date of the incident, applicable EC 48900 violation(s) and applicable EC 48915 findings. See the following sample:

On February 7, 2012, John Smith, an eleventh grade male student at Sunset High School (SHS), was suspended for 5 days for violating Education Code 48900 (b), possessed a knife, and Education Code 48900 (k), willfully defied the valid authority of a school official. Specifically, John was found in possession of a locking knife, with an approximate blade length of 3.5 inches and refused to hand over the knife to the dean of discipline after numerous requests.

The recommendation by the Principal of SHS to expel John from the Singleton Unified School District (SUSD) is based on Education Code 48915 (b)(1), other means of correction have repeatedly failed to bring about proper conduct, and Education Code 48915 (b)(2), due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

Findings

Following the hearing, the administrative panel recommended on a vote of (indicate voting outcome; i.e. 3-0, 2-1) to expel John Smith from the SUSD. The recommendation is based on the following findings of fact:

A. Jurisdictional documentation presented by the district and admitted by the panel into evidence without objection: (list all exhibits, descriptions and date on the documents; see examples below)

1. Exhibit 1: Notice of Suspension, 2/7/12
2. Exhibit 2: Letter to Recommend Expulsion, 2/15/12
3. Exhibit 3: Notice of Expulsion Hearing, 2/21/12

B. Student records.

1. Exhibit 11: Academic Record: (provide a brief summary that may include, but is not limited to, the date of enrollment at the school, credits earned and credits attempted, any interventions or support provided, progress towards meeting graduation requirements)

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2. Exhibit 12: Attendance Record: (provide a brief summary that may include, but is not limited to, the number and types of absences per grade at the school, any meetings held with parents/guardians, any interventions provided)

3. Exhibit 13: Discipline Record: (provide a brief summary that may include, but is not limited to, the number and types of misconduct, days suspended by grade level, note the number of related incidents to the incident that led to this expulsion recommendation and means of intervention and correction attempted by the school)

C. Documentation presented by the student and admitted by the panel into evidence without objection: (list in same format as section A.I.; note any documentation that was provided at the time of the hearing; remove this section if not applicable)

D. Written statements presented by the district and admitted by the panel into evidence without objection: (list all exhibits, name of person who wrote the statement, date of statement, a very brief summary)

E. Sworn declaration examined by the panel and admitted as evidence upon finding that the witness would be subject to an unreasonable risk of psychological or physical harm if his/her identity was disclosed. (include only if applicable; list exhibit, date of statement, a very brief summary)

F. Oral testimony provided at the hearing. (include name of witness, title/position, highlights of the testimony)

Conclusions

Based on the above findings of fact, as supported by the evidence presented in the hearing packet and during the hearing, the administrative panel concluded that: (see example below)

1. Substantial evidence was provided to show that John possessed a 3.5-inch locking blade knife in violation of Education Code 48900 (b).

2. Substantial evidence was provided to show that John willfully defied the valid authority of a school official in violation of Education Code 48900 (k).

3. Substantial evidence was not provided to show that other means of correction have repeatedly failed to bring about proper conduct pursuant to Education Code 48915 (b)(1). John’s previous misconducts as described in his discipline record and clarified at the hearing were unrelated to this specific incident. Further, there was no evidence presented to show that John has ever defied the valid authority of a school official.

4. Substantial evidence was provided to show that due to the nature of the act, John’s presence will cause a continuing danger to the physical safety of others pursuant to Education Code 48915 (b)(2). John admitted in his written statement as well as in his oral testimony during the hearing that he brought the knife onto campus with the intent to harm another student and would do it again if the circumstances were the same. John did not want to relinquish his knife to the dean because he had not had the opportunity to carry out his intent at the time.

Recommendation

Pursuant to Education Code 48918, the administrative panel recommends to the governing board of the Singleton Unified School District that John Smith, an eleventh grade student at Sunrise High School, be expelled from the District for the remainder of the second semester of the 2011-2012 school year through and including the first semester of the 2012-2013 school year.
STIPULATED EXPULSION AGREEMENT

This Agreement is made and entered into by and between _______ (the "Student") and _______ (the "Parent/Guardian") and the ____________ (the "District").

RECITALS

1. A Notice of Expulsion ("Notice") pertaining to the Student (see Exhibit A attached to this Agreement), was received by the Parent/Guardian; and

2. The Notice includes allegations of specific acts committed or engaged in by the Student, which acts are grounds for expulsion under applicable provisions of the California Education Code, including but not limited to, Section 48900/48915 et. seq.; and

3. The Student and Parent/Guardian have been provided with the Notice and copies of applicable provisions of the California Education Code and District rules and regulations governing expulsion; and

4. The Student and Parent/Guardian have been advised by District representatives that they have the right to consult with and/or otherwise engage counsel to represent them during any proceedings involving the Notice and/or this Agreement; and

5. The Student and Parent/Guardian have been advised by District representatives to discuss allegations contained in the Notice and applicable provisions of the California Code relating to expulsion; and

6. The Student and Parent/Guardian fully understand the charges contained in the Notice and the meaning and consequences of an expulsion order which may result from such charges; and

7. At an upcoming meeting, the District’s governing board will consider and take action on the issue of expulsion based on the Student’s admissions and waiver of a right to an expulsion hearing as set forth in this Agreement; and

8. The parties have determined that resolution of the issues raised in the Notice would best be served by an expedited and abbreviated process, which process would ultimately be beneficial to and in the best interests of the Student and District; and

9. This Agreement is consistent with the intent of applicable provisions of the California Education Code relating to expulsions.

The parties agree as follows: (Parent/Guardian must initial each item)

______ A. The parties agree that the above Recitals are true and correct.

______ B. The purpose of this Agreement is to establish a framework for the amicable, beneficial and expedited resolution of issues raised in the Notice (Exhibit A).

______ C. The Student and Parent/Guardian fully acknowledge, understand and admit the following:

(1) They have received the Notice and have carefully read the allegations regarding the specific acts committed or engaged in by the Student and applicable California Education Code sections; and
(2) They have had an opportunity to discuss the allegations and the meaning and consequences of an expulsion order; and

(3) They have the right to a due process hearing to contest the charges against the Student in order to determine whether the Student should be expelled; and

(4) The specific acts committed or engaged in by the Student, as alleged in the Notice, did in fact occur; and

(5) Substantial evidence presented by the school and the circumstances leading up to the expulsion recommendation are undisputable; and

(6) The expulsion order is an appropriate consequence to the specific acts committed or engaged by the Student, as alleged in the Notice.

D. The Student and Parent/Guardian relinquish their right to contest any expulsion order and make knowing and voluntary waiver of their right to have an expulsion hearing, including the right:

(1) To all notices and time lines required by statute, rule and regulation,

(2) To be represented by legal counsel or a non-attorney advisor at such expulsion hearing,

(3) To inspect and obtain copies of all documents which would have been used at the hearing,

(4) To confront and question all witnesses who would have testified at the hearing,

(5) To question all other evidence presented,

(6) To present oral and documentary evidence on the Student’s behalf, including witnesses, and

(7) To appeal to the county board of education.

E. This Agreement is conditioned upon review and approval of the District’s governing board. The governing board will consider this Agreement at the next regularly scheduled meeting in Closed Session, currently scheduled for __________ (date of Board hearing). If the governing board rejects this Agreement, the Student and Parent have the right to request a hearing within thirty (30) school days of the date the governing board rendered its decision to reject the Agreement.

F. The Student is eligible to reapply for readmission per California Education Code Section 48916 on __________. During the period of expulsion, the Student must successfully complete a Rehabilitation Plan.

G. The Student shall be expelled from all schools governed by the District for the:

☐ Current semester/trimester

☐ Current and the following semester/trimester

☐ Up to one calendar year (applies only to Education Code 48915(c) violations)

☐ The District’s governing board shall consider suspending enforcement of the expulsion order for the aforementioned time period.
1. When the District’s governing board chooses to suspend enforcement of this expulsion order, the Student, during the period of the suspended expulsion, will be deemed to be on probationary status. If any of the conditions of this Agreement are not met or if there are any violations of California Education Code Sections 48900/48915, et. seq., the suspension of the expulsion order will be revised by the Superintendent or his/her designee without further hearing or proceeding and referred to the District’s governing board for reinstatement of the original expulsion. The expulsion will then remain in effect until such time as the original readmission date was specified.

2. Upon satisfactory completion of the Rehabilitation Plan outlined above, the Student may apply for readmission to the District. Any determination as to whether the Rehabilitation Plan has been satisfactorily completed shall be vested in the sole discretion of the Superintendent or his/her designee.

3. At the time of reinstatement, the Superintendent or his/her designee may order the expungement of any or all records of the expulsion proceedings related to the Notice.

4. The effective date of this Agreement shall be the date approved by the District’s governing board. Unless previously terminated by mutual agreement of the parties, all rights and obligations contained in this Agreement shall terminate upon reinstatement of the Student.

5. Neither this Agreement nor any of the terms hereof may be amended, modified, altered, waived, or terminated except by written instrument approved by the Superintendent or his/her designee.

6. This Agreement constitutes the entire understanding and agreement between the parties and supersedes all previous negotiations, understanding, and preliminary agreement, whether written or oral, between them.

The parties indicate their intention to be bound, by their authorized signatures below.

DATED: ______________________  Student

DATED: ______________________  Parent/Guardian

DATED: ______________________  Authorized District Representative

DATED: ______________________  President, Board of Education
ACUERDO DE EXPULSION ESTIPULADO

Este Acuerdo se hace y confirma entre __________ (el “Estudiante”) y __________ (el “Padre/Tutor”) y el __________ (el “Distrito”).

INCISOS

1. Una Notificación de Expulsión (“Notificación”) referente al Estudiante (Ver Exhibición A adjunta a este Acuerdo), fue recibida por el Padre; y

2. La Notificación incluye acusaciones de actos específicos cometidos o en los que se haya involucrado el Estudiante, tales actos son motivo de expulsión bajo las condiciones que aplican bajo el Código de Educación de California, incluyendo pero sin limitarse a, la Sección 48900/48915 et. seq.; y

3. Al Estudiante y alPadre/Tutor se les ha proporcionado una Notificación y copias de las condiciones que aplican del Código de Educación de California y las reglas y normas del Distrito que rigen una expulsión; y

4. El Estudiante y el Padre/Tutor han sido informados por los representantes del Distrito que tienen el derecho de consultar con, y/o acudir a, un abogado para representarlos durante cualquier procedimiento que involucre la Notificación y/o este Acuerdo; y

5. El Estudiante y el Padre/Tutor han sido informados por los representantes del Distrito para discutir sobre las acusaciones contenidas en la Notificación y en las precauciones que aplican del Código de California con respecto a la expulsión; y

6. El Estudiante y el Padre/Tutor entienden completamente los cargos contenidos en la Notificación y el significado y consecuencias de una orden de expulsión, la cual puede resultar de tales cargos; y

7. En una reunión próxima, la mesa directiva en funciones considerará y tomará acción sobre la cuestión de expulsión basada en el reconocimiento y la dispensa al derecho a una audiencia de expulsión por el Estudiante como se establece en este acuerdo; y

8. Las partes han determinado que la resolución de las cuestiones suscitadas en la Notificación estaría mejor atendida por un proceso expedito o abreviado, dicho proceso sería finalmente benéfico, para y con el mejor interés del Estudiante y el Distrito; y

9. Este Acuerdo es coherente con la intención de las precauciones que aplican del Código de Educación de California referente a expulsiones.

Los partes están de acuerdo con lo siguiente: (el Padre/Tutor debe poner sus iniciales en cada elemento)

_____ A. Las partes acuerdan que los Incisos anteriores son verdaderos y correctos.

_____ B. El propósito de este Acuerdo es establecer un marco para una resolución amigable, benéfica y expedita de las cuestiones suscitadas en la Notificación (Exhibición A).

_____ C. El Estudiante y el Padre/Tutor reconocen completamente, entienden y admiten lo siguiente:
(1) Ellos han recibido la Notificación y han leído cuidadosamente las acusaciones sobre los actos específicos cometidos o en los que se involucró por el Estudiante y las cuales aplican a las secciones del Código de Educación de California; y

(2) Ellos han tenido la oportunidad de discutir las acusaciones y el significado y consecuencias de una orden de expulsión; y

(3) Ellos tienen derecho a un proceso de audiencia justo para refutar las acusaciones contra el Estudiante para determinar si el Estudiante debe estar expulsado; y

(4) Los actos específicos cometidos o en los que se involucró el Estudiante, sostenidos en la Notificación, efectivamente ocurrieron; y

(5) Evidencia sustancial presentada por la escuela y las circunstancias que llevaron a la recomendación de expulsión son indiscutibles; y

(6) La orden de expulsión es una consecuencia apropiada para los actos específicos o en los que se involucró el Estudiante, sostenidos en la Notificación.

D. El Estudiante y el Padre/Tutor renuncian a su derecho de refutar cualquier orden de expulsión y hacen dispensa voluntaria a su derecho de tener una audiencia de expulsión, incluyendo el derecho:

(1) A todas las notificaciones y líneas de tiempo requeridas por estatuto, reglas y normas,

(2) A ser representados por un abogado en dicha audiencia de expulsión,

(3) A inspeccionar y obtener copias de todos los documentos que serían utilizados en la audiencia,

(4) A confrontar y cuestionar todos los testigos que habrían testificado en la audiencia,

(5) A cuestionar cualquier otra evidencia presentada,

(6) A presentar evidencia oral y documentada por parte del Estudiante, incluyendo testigos, y

(7) A apelar a la mesa directiva del condado.

E. Este Acuerdo está condicionado a la revisión y aprobación de la mesa directiva del Distrito. La mesa directiva tendrá en cuenta este Acuerdo en la próxima reunión programada en Sesión Cerrada, programado para _________ (date of Board hearing). Si la mesa directiva rechaza este Acuerdo, el Estudiante y Padre/Tutor tienen el derecho de solicitar una audiencia dentro de treinta (30) días escolares de la fecha la mesa directiva representó su decisión de rechazar el Acuerdo.

F. El Estudiante es elegible para volver a solicitar su readmisión según el Código de Educación de California en _______. Durante el período de expulsión, el Estudiante debe completar exitosamente un Programa de Rehabilitación.

G. El Estudiante será expulsado de todas las escuelas gobernadas por el Distrito para:
2. Cuando la mesa directiva del Distrito decide suspender la ejecución de esta orden de expulsión, el Estudiante, durante el período de la expulsión suspensa, se considerará que está en un estado de prueba. Si no se cumple ninguna de las condiciones de este Acuerdo, o si hay cualquier violación del Código de Educación de California secciones 48900/48915, et. seq., la suspensión de la orden de expulsión será revisada por el Superintendente o su designado sin más audiencia o proceso y que se refiere a la mesa directiva del Distrito para la reincorporación de la expulsión original. La expulsión entonces quedará en efecto hasta el momento en que la fecha original de readmisión fue especificada.

3. Al completar de manera satisfactoria el Plan de Rehabilitación mencionado anteriormente, el Estudiante puede solicitar su readmisión al Distrito. Cualquier determinación referente a si el Programa de Rehabilitación se completó satisfactoriamente será designada a la discreción del Superintendente o a su designado.

4. Al momento de la readmisión, el Superintendente o su designado puede cancelar cualquier o todos los archivos de los procedimientos de expulsión relacionados con la Notificación.

5. La fecha efectiva de este Acuerdo deberá ser aprobada por la mesa directiva en funciones del Distrito. A no ser que se de por terminado por acuerdo de ambas partes, todos los derechos y obligaciones contenidos en este Acuerdo deben terminar al momento de la reinstauración del Estudiante.

6. Ni este Acuerdo ni cualquiera de los términos del presente pueden ser enmendados, modificados, cambiados, dispensados o terminados excepto por un acuerdo escrito aprobado por el Superintendente o su designado.

7. Este Acuerdo constituye el completo entendimiento y concertación entre las partes y reemplaza toda previa negociación, entendimiento y acuerdo preliminar, ya sea escrito u oral, entre ellos.

Las partes indican su intención de ser sujetas por sus firmas autorizadas a continuación.

FECHA: ____________

____________________
Estudiante

FECHA: ____________

____________________
Padre/Tutor

FECHA: ____________

____________________
Representante Autorizado del Distrito

FECHA: ____________

____________________
Presidente, Mesa Directiva
REHABILITATION PLAN

Note: A Rehabilitation Plan must be submitted as part of the Administrative Hearing Panel Findings or the Stipulated Agreement, depending on which process was utilized.

The final approval and content of the Rehabilitation Plan shall be within the discretion of the District’s governing board. During the period of expulsion, the Student shall meet the following conditions of the Rehabilitation Plan:

(a) The Student shall attend _____ unless the Parent/Guardian and the District mutually agree to an alternative educational placement selected by the Parent, a placement which will allow the student to successfully meet the terms of this rehabilitation plan.

(b) The Student shall remain off of all District property and away from all District events.

(c) The Student shall return all school property and settle all debts with the District.

(d) The Student shall maintain a satisfactory discipline, attendance and grade record.
   1. Satisfactory discipline... (i.e. number of out-of-school suspensions allowed).
   2. Satisfactory attendance... (i.e. percentage of attendance required, number and types of absences allowed).
   3. Satisfactory grade... (i.e. minimum GPA, minimum number of credits earned)

(e) The Student shall comply with the Compulsory Education Law, California Education Code Section 48200.

(f) The Student shall comply with all federal, state and local laws and ordinances, as well as all rules and regulations of the school the Student is attending.

(g) The Student shall not be eligible to apply for readmission any earlier than _____.

Other conditions that may be added to the Rehabilitation Plan:

- The Student shall attend and participate in __ (number) sessions of a counseling program for ___ (purpose), at no cost to the Student or the District. Written proof of attendance and the results thereof must be provided at the time of readmission.

- The Student shall perform at least __ hours of community service. Written verification of hours completed must be provided at the time of readmission.

- The Student shall submit to a test to determine the presence of alcohol/drugs at the direction of the District.
PROGRAMA DE REHABILITACIÓN

La aprobación final y el contenido del programa de Rehabilitación deben ser a discreción de la Mesa Directiva en funciones del Distrito. Durante el período de expulsión, el Estudiante debe completar las siguientes condiciones del Programa de Rehabilitación:

(a) El Estudiante deberá asistir a menos que el Padre/Tutor y el Distrito acuerden mutuamente a una colocación alternativa educativa seleccionada por el Padre/Tutor, una colocación que permitirá que el estudiante cumpla con éxito los requisitos de este programa de rehabilitación.

(b) El Estudiante deberá permanecer fuera de todas las propiedades y eventos del Distrito.

(c) El Estudiante deberá devolver todos los bienes de la escuela y resolver todas las deudas con el Distrito.

(d) El estudiante deberá mantener un registro de disciplina, asistencia y grado satisfactorio.

   1. Disciplina satisfactoria… (i.e. number of out-of-school suspensions allowed).

   2. Asistencia satisfactoria… (i.e. percentage of attendance required, number and types of absences allowed).

   3. Grado satisfactorio… (i.e. minimum GPA, minimum number of credits earned)

(e) El estudiante deberá cumplir con la ley de Educación Obligatoria, Código de Educación de California sección 48200.

(f) El estudiante deberá cumplir con todas las leyes federales, estatales y locales y ordenanzas, también con todas las reglas y reglamentos de la escuela que el Estudiante está asistiendo.

(g) El estudiante no será elegible para solicitar readmisión cualquiera anterior a______

Otras condiciones que pueden añadirse al Programa de Rehabilitación:

- El Estudiante deberá asistir y participar en ____ (number) de sesiones de un programa de asesoramiento para ________ (purpose), sin costo para el Estudiante o el Distrito. Debe proporcionar una prueba escrita de asistencia y los resultados en el momento de readmisión.

- El estudiante deberá realizar al menos _____ horas de servicio comunitario. Debe proporcionar una prueba escrita de las horas completadas en el momento de readmisión.

- Bajo la directiva del Distrito el estudiante se presentará para una prueba para determinar la presencia de alcohol y drogas.
NOTICE OF BOARD MEETING

Sample in English (remember to include date of the letter)

Dear Mr. and Mrs. ________:

At the Administrative Hearing, held on (date of meeting), the Panel decided to recommend to the Board of Education that your child be expelled from the (name of school district) for violation of Education Code(s) 48900 (subdivision(s) and description(s)), based on the finding pursuant to Education Code 48915 (subdivision and language). The Board will take final action on the expulsion recommendation at its next regularly scheduled meeting:

Date:
Time:
Location:

The decision is not binding on the Board of Education. The Board may accept, reject, or modify the recommended decision of the Administrative Panel.

If you or your representative wishes to briefly address the Board regarding the recommendation by the Administrative Panel, please notify (name, position and phone number) at least (specify number of days per Board Policy) schooldays prior to the date of the Board Meeting. You will receive notice of the final decision of the Board of Education.

Sincerely,

Sample in Spanish

Estimados Sr. y Sra. ________:

En el Jurado Administrativo, llevado acabo el (date of meeting), el Jurado decidió recomendar a la Mesa Directiva de Educación que su hijo sea expulsado del (name of school district) por violación del Código Educativo 48900 (subdivision(s) and description(s)), basado en el descubrimiento según el Código Educativo 48915 (subdivision and language). La Mesa Directiva tomará la acción final acerca de la recomendación de expulsión en la próxima junta regular:

Fecha:
Hora:
Lugar:

La decisión no será obligatoria para la Mesa Directiva de Educación. La Mesa Directiva podrá aceptar, rechazar o modificar la decisión recomendada por el Jurado Administrativo.

Si usted o su representante desea dirigirse brevemente a la Mesa Directiva acerca de la recomendación del Jurado Administrativo, por favor notifique a (name, position and phone number) por lo menos (specify number of days per Board Policy) días escolares ante del día de la Junta de la Mesa Directiva. Usted recibirá notificación de la decisión final de la Mesa Directiva de Educación.

Sinceramente,
NOTICE OF FINAL BOARD ACTION FOR EXPULSION

Sample in English (remember to include date of the letter)

Dear Mr. and Mrs. ________:

This letter is to inform you that on (date of board meeting) the (name of school district) Board of Education ordered that your child be expelled from the (name of school district) from (beginning date) through (ending date) for violation of California Education Code(s) 48900 (subdivision(s) and description(s)), based on the finding pursuant to Education Code 48915 (subdivision and language). The order of the Board is effective immediately.

During this period of expulsion, your child is not exempt from compulsory attendance laws. Your child must be enrolled in an accredited educational program. Please contact (office, name, position and phone number) for placement at (alternative education program). If you enroll your child at another school district, you are legally required to inform the new school that your child has been expelled. The receiving school may request information from (name of school district) regarding the expulsion of your child.

You have the right to appeal the expulsion to the County Board of Education within thirty (30) days following the decision of the Board of Education to expel. The County Board shall hold a hearing and render its decision. You may find information regarding the process to file an appeal by visiting www.lacoe.edu/appeals or by contacting:

Division of Student Support Services
Los Angeles County Office of Education
9300 East Imperial Highway
Downey, CA 90242-2890
Telephone: (562) 922-6516

Sample in Spanish

Estimados Sr. y Sra. ________:

Esta carta es para informarles que en (date of board meeting) la Mesa Directiva de Educación del (name of school district) ordenó expulsar a su hijo del (name of school district) desde el (beginning date) hasta el (ending date) por violación del Código Educativo de California 48900 (subdivision(s) and description(s)), basado en el descubrimiento según el Código Educativo 48915 (subdivision and language). La orden de la Mesa Directiva es efectiva inmediatamente.

Durante este periodo de expulsión, su hijo no está exento de las leyes de asistencia obligatoria. Su hijo debe ser inscrito en un programa educativo autorizado. Por favor comuníquese con (office, name, position and phone number) para colocación en (alternative education program). Si inscribe a su hijo en otro distrito escolar, usted está requerido legalmente a informar a la nueva escuela que su hijo fue expulsado. La escuela de recibo puede pedir la información sobre la expulsión de su hijo del (name of school district).

Usted tiene el derecho de apelar la expulsión a la Mesa Directiva de Educación del Condado dentro de treinta (30) días siguiendo la decisión de la Mesa Directiva. La Mesa Directiva del Condado reunirá una audiencia y rendirá su decisión. Puede encontrar la información sobre el proceso de como someter una apelación ingresando a www.lacoe.edu/appeals o comunicándose con: (See above for information).
WITNESS STATEMENT

Information of the person completing the form:

Name (last, first)

Are you?  □ Student, ID# □ Parent □ Staff (position)

Your involvement?  □ I’m the victim  □ I’m the accused  □ I’m a witness

□ I helped deal with the incident

Please include the following information, where applicable, regarding the incident:

1. Note the date and time of the incident.
2. Describe the location where the incident took place.
3. Describe, in the order of events, what you experienced, heard or witnessed.
4. Describe how you were involved in the incident.
5. Note any physical injuries.
6. List any other witness names and/or physical descriptions.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

I declare under penalty of perjury that the information provided on this form is accurate and true.

Signature of Witness _______________________________ Date ________________

Name of person receiving the statement ________________________________
SWORN DECLARATION OF WITNESS

In the matter of the ☐ suspension, ☐ possible expulsion or ☐ disciplinary incident of:

__________________________________________, a student at _________________ School, I feel that the disclosure of my identity and my testimony as a witness at the hearing would subject me to unreasonable risk of harm.

I wish to remain anonymous because: __________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

Narrative:________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

I declare under penalty of perjury that the foregoing is true and correct this ______ day of

__________________________, 20____

Executed at _________________________, California.

Declarant’s Name* __________________________ Signature* __________________________

* Name and signature will not be disclosed.
REQUEST FOR SUBPOENA

Person making request: ________________________________

Title/position of the requestor: __________________________

Name of student undergoing expulsion proceedings: ________________________________

Date and time of scheduled expulsion hearing: ________________________________

Name of witness to receive subpoena: ________________________________

If the witness is a minor, name of parent/guardian: ________________________________

Please provide a statement indicating who the witness is and the type of relevant information this witness may be able to provide at the expulsion hearing.

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Requester ________________________________ Date ____________________

Note: Once the request is received by the appropriate district personnel, it is recommended that the request be date and time stamped and that the district document the actions taken in response to the request. See the sample subpoena on the following page.
(NAME OF SCHOOL DISTRICT)

IN THE MATTER THE EXPULSION OF: ) ) ) SUBPOENA ) ) 

_________ (name of student) ___________

THE PEOPLE OF THE STATE OF CALIFORNIA, TO ___________ (witness) ___________

1. YOU HAVE BEEN IDENTIFIED AS SOMEONE WHO HAS PERSONAL KNOWLEDGE AND PERTINENT INFORMATION OF THE INCIDENT THAT LED TO THE RECOMMENDATION TO EXPEL THE ABOVE NAMED STUDENT WHO ATTENDS (name of school) FROM THE (name of school district).

2. AS SUCH, YOU ARE HEREBY ORDERED TO APPEAR IN PERSON BEFORE THE ADMINISTRATIVE HEARING PANEL OF THE ___________ SCHOOL DISTRICT AS A WITNESS IN THE ABOVE-ENTITLED MATTER ON (date and time) TO BE HELD AT (address and room number).

3. THIS SUBPOENA IS ISSUED UNDER THE AUTHORITY OF SECTION 1985 OF THE CODE OF CIVIL PROCEDURE AND SECTION 48918(i) OF THE CALIFORNIA EDUCATION CODE.

4. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR OR IF YOU WANT TO MAKE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT (name of district personnel, phone number and/or email) BEFORE THE FOLLOWING DATE AND TIME: ____________________________

5. WITNESS FEES: YOU ARE ENTITLED TO WITNESS FEES AND MILEAGE ACTUALLY TRAVELED BOTH WAYS, AS PROVIDED BY LAW, IF YOU REQUEST THEM AT THE TIME OF SERVICE. YOU MAY REQUEST THEM BEFORE YOUR SCHEDULED APPEARANCE FROM THE PERSON NAMED IN ITEM 4.

6. DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THE SUPERIOR COURT IN THE COUNTY IN WHICH THE DISTRICT IS LOCATED. YOU MAY ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Dated: ____________________________ (name of superintendent) 
Superintendent

66
PROOF OF PERSONAL SERVICE

Name of school district
Mailing address
City, State and Zip code

IN THE MATTER THE EXPULSION OF: ______________________________

PROOF OF PERSONAL SERVICE

1. I am at least 18 years old, not a party to this action, and not a protect person listed in any of the orders.

2. Person served (name): ______________________________

3. I served copies of the following document(s) (specify):

4. By personally delivering copies to the person served, as follows:
   Date: ___________________ Time: ___________________
   Address:
   ☐ The person was served at the date, time and address indicated above
   ☐ After due search, careful inquiry, and diligent attempts at the address listed above and the person’s place of employment (if applicable), I have been unable to make personal delivery of the document(s) specified in item 3 for the following reason(s):
     ☐ Unknown at the address ☐ Out of county or state address
     ☐ Moved, forwarding address unknown ☐ Unable to serve by hearing date
     ☐ No such address ☐ Other (specify below)

5. I am
   ☐ not a registered California process server.
   ☐ a registered California process server.
   ☐ an employee or independent contractor of a registered process server.
   ☐ exempt from registration under Bus. & Prof. Code section 22350(b).
   ☐ a California sheriff or marshal.

6. My name, title, address, and telephone number, and, if applicable, county of registration and number:

7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

______________________________
Name of person serving the subpoena (print)

______________________________  _______________________
Signature of person serving the subpoena        Date
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Part III
Suspension and Expulsion Codes
CALIFORNIA EDUCATION CODE: Suspension and Expulsion

EC § 48900 – Grounds for suspension or expulsion; jurisdiction; legislative intent

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

(2) Willfully used force or violence upon the person of another, except in self-defense.

(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stolen or attempted to steal school property or private property.

(h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
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(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) “Electronic act” means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (I).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (I). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (I). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.
(4) During, or while going to or coming from, a school sponsored activity.

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.

(w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

**EC § 48900.1 – Pupil suspended by teacher for 48900(t) or (k) violation; attendance of parent for portion of schoolday; local policy and procedures**

(a) The governing board of each school district may adopt a policy authorizing teachers to require the parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for reasons specified in subdivision (t) or (k) of Section 48900, to attend a portion of a schoolday in the classroom of his or her child or ward. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended.

(b) The policy shall be adopted pursuant to the procedures set forth in Sections 35291 and 35291.5. Parents and guardians shall be notified of this policy prior to its implementation. A teacher shall apply any policy adopted pursuant to this section uniformly to all pupils within the classroom.

The adopted policy shall include the procedures that the district will follow to accomplish the following:

1. Ensure that parents or guardians who attend school for the purposes of this section meet with the school administrator or his or her designee after completing the classroom visitation and before leaving the schoolsite.
EC § 48900.1 continued

(2) Contact parents or guardians who do not respond to the request to attend school pursuant to this section.

(c) If a teacher imposes the procedure pursuant to subdivision (a), the principal shall send a written notice to the parent or guardian stating that attendance by the parent or guardian is pursuant to law. This section shall apply only to a parent or guardian who is actually living with the pupil.

(d) A parent or guardian who has received a written notice pursuant to subdivision (c) shall attend class as specified in the written notice. The notice may specify that the attendance of the parent or guardian be on the day the pupil is scheduled to return to class, or within a reasonable period of time thereafter, as established by the policy of the board adopted pursuant to subdivision (a).

EC § 48900.2 — Grounds for suspension or expulsion: sexual harassment (Grades 4-12)

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

EC § 48900.3 — Grounds for suspension or expulsion: hate violence (Grades 4-12)

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

EC § 48900.4 — Grounds for suspension or expulsion: harassment, threats, or intimidation (Grades 4-12)

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that
is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

**EC § 48900.5 – Limitations on imposing suspension**

(a) Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil’s record, which may be accessed pursuant to Section 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

(b) Other means of correction include, but are not limited to, the following:

(1) A conference between school personnel, the pupil’s parent or guardian, and the pupil.

(2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support personnel for case management and counseling.

(3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.

(4) Referral for a comprehensive psychosocial or psycho-educational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).

(5) Enrollment in a program for teaching prosocial behavior or anger management.

(6) Participation in a restorative justice program.

(7) A positive behavior support approach with tiered interventions that occur during the schoolday on campus.

(8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
EC § 48900.6 – Community service

As part of or instead of disciplinary action prescribed by this article, the principal of a school, the principal's designee, the superintendent of schools, or the governing board may require a pupil to perform community service on school grounds or, with written permission of the parent or guardian of the pupil, off school grounds, during the pupil's nonschool hours. For the purposes of this section, "community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. This section does not apply if a pupil has been suspended, pending expulsion, pursuant to Section 48915. However, this section applies if the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action.

EC § 48900.7 – Grounds for suspension or expulsion: terrorist threats against school officials or property

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terrorist threats against school officials or school property, or both.

(b) For the purposes of this section, "terrorist threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

EC § 48900.8 – Record of expulsion or suspension

For purposes of notification to parents, and for the reporting of expulsion or suspension offenses to the department, each school district shall specifically identify, by offense committed, in all appropriate official records of a pupil each suspension or expulsion of that pupil for the commission of any of the offenses set forth in Section 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915.
EC § 48901 – Use of tobacco or nicotine products prohibited; steps to discourage smoking

(a) No school shall permit the smoking or use of tobacco, or any product containing tobacco or nicotine products, by pupils of the school while the pupils are on campus, or while attending school-sponsored activities or while under the supervision and control of school district employees.

(b) The governing board of any school district maintaining a high school shall take all steps it deems practical to discourage high school students from smoking.

EC § 48901.5 – Local regulations of electronic signaling devices; exception for health reasons

(a) The governing board of each school district, or its designee, may regulate the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by pupils of the school district while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees.

(b) No pupil shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the pupil and use of which is limited to purposes related to the health of the pupil.

EC § 48902 – Suspension or expulsion offenses that require law enforcement notification; records of pupils with exceptional needs

(a) The principal of a school or the principal's designee shall, prior to the suspension or expulsion of any pupil, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any acts of the pupil that may violate Section 245 of the Penal Code.

(b) The principal of a school or the principal's designee shall, within one schoolday after suspension or expulsion of any pupil, notify, by telephone or any other appropriate method chosen by the school, the appropriate law enforcement authority of the county or the school district in which the school is situated of any acts of the pupils that may violate subdivision (c) or (d) of Section 48900.

(c) Notwithstanding subdivision (b), the principal of a school or the principal's designee shall notify the appropriate law enforcement authorities of the county or city in which the school is located of any acts of a student that may involve the possession or sale of narcotics or of a controlled substance or a violation of Section 626.9 or 626.10 of the Penal Code. The principal of a school or the principal's designee shall report any act specified in paragraph (1) or (5) of subdivision (c) of Section 48915 committed by a pupil or nonpupil on
EC § 48902 continued

a schoolsite to the city police or county sheriff with jurisdiction over the school and the school security department or the school police department, as applicable.

(d) A principal, the principal's designee, or any other person reporting a known or suspected act described in subdivision (a) or (b) is not civilly or criminally liable as a result of making any report authorized by this article unless it can be proven that a false report was made and that the person knew the report was false or the report was made with reckless disregard for the truth or falsity of the report.

(e) The principal of a school or the principal's designee reporting a criminal act committed by a schoolage individual with exceptional needs, as defined in Section 56026, shall ensure that copies of the special education and disciplinary records of the pupil are transmitted, as described in Section 1415(6)(k) of Title 20 of the United States Code, for consideration by the appropriate authorities to whom he or she reports the criminal act. Any copies of the pupil's special education and disciplinary records may be transmitted only to the extent permissible under the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g et seq.).

EC § 48903 – Maximum of suspension per school year

(a) Except as provided in subdivision (g) of Section 48911 and in Section 48912, the total number of days for which a pupil may be suspended from school shall not exceed 20 schooldays in any school year, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of schooldays for which the pupil may be suspended shall not exceed 30 days in any school year.

(b) For the purposes of this section, a school district may count suspensions that occur while a pupil is enrolled in another school district toward the maximum number of days for which a pupil may be suspended in any school year.

EC § 48904 – Liability of parent for willful misconduct of pupil; withholding grades, diplomas, and transcripts; voluntary work program; hearing process

(a) (1) Notwithstanding Section 1714.1 of the Civil Code, the parent or guardian of any minor whose willful misconduct results in injury or death to any pupil or any person employed by, or performing volunteer services for, a school district or private school or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school district or private school, or personal property of any school employee, shall be liable for all damages so caused by the minor. The liability of the parent or guardian shall not exceed ten thousand dollars ($10,000). The parent or guardian shall also be liable for the amount of any reward not
EC § 48904 continued

exceeding ten thousand dollars ($10,000) paid pursuant to Section 53069.5 of the Government Code. The parent or guardian of a minor shall be liable to a school district or private school for all property belonging to the school district or private school loaned to the minor and not returned upon demand of an employee of the district or private school authorized to make the demand.

(2) The Superintendent of Public Instruction shall compute an adjustment of the liability limits prescribed by this subdivision at a rate equivalent to the percentage change in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year.

(b) (1) Any school district or private school whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of the district or private school authorized to make the demand may, after affording the pupil his or her due process rights, withhold the grades, diploma, and transcripts of the pupil responsible for the damage until the pupil or the pupil's parent or guardian has paid for the damages thereto, as provided in subdivision (a).

(2) The school district or private school shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma, or transcripts pursuant to this subdivision. When the minor and parent are unable to pay for the damages, or to return the property, the school district or private school shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released.

(3) The governing board of each school district or governing body of each private school shall establish rules and regulations governing procedures for the implementation of this subdivision. The procedures shall conform to, but are not necessarily limited to, those procedures established in this code for the expulsion of pupils.

EC § 48904.3 – Reciprocal withholding of grades, diplomas, and transcripts by school district to which pupil transfers

(a) Upon receiving notice that a school district has withheld the grades, diploma, or transcripts of any pupil pursuant to Section 48904, any school district to which the pupil has transferred shall likewise withhold the grades, diploma, or transcripts of the pupil as authorized by that section, until the time that it receives notice, from the district that initiated the decision to withhold, that the decision has been rescinded under the terms of that section.
EC § 48904.3 continued

(b) Any school district that has decided to withhold a pupil's grades, diploma, or transcripts pursuant to Section 48904 shall, upon receiving notice that the pupil has transferred to any school district in this state, notify the parent or guardian of the pupil in writing that the decision to withhold will be enforced as specified in subdivision (a).

(c) For purposes of this section and Section 48904, "school district" is defined to include any county superintendent of schools.

(d) This section and Section 48904 shall also apply to the state special schools, as described in subdivision (a) of Section 48927.

EC § 48905 – Injury or damage to person or property of school staff; request for school district to pursue legal action

An employee of a school district whose person or property is injured or damaged by the willful misconduct of a pupil who attends school in such district, when the employee or the employee's property is (1) located on property owned by the district, (2) being transported to or from an activity sponsored by the district or a school within the district, (3) present at an activity sponsored by such district or school, or (4) otherwise injured or damaged in retaliation for acts lawfully undertaken by the employee in execution of the employee's duties, may request the school district to pursue legal action against the pupil who caused the injury or damage, or the pupil's parent or guardian pursuant to Section 48904.

EC § 48906 – Notifying parent of release of pupil to peace officer

When a principal or other school official releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165.6 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. In those cases, the school official shall provide the peace officer with the address and telephone number of the minor's parent or guardian. The peace officer shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that the minor is in custody and the place where he or she is being held. If the officer has a reasonable belief that the minor would be endangered by a disclosure of the place where the minor is being held, or that the disclosure would cause the custody of the minor to be disturbed, the officer may refuse to disclose the place where the minor is being held for a period not to exceed 24 hours. The officer shall, however, inform the parent, guardian, or responsible relative whether the child requires and is receiving medical or other treatment. The juvenile court shall review any decision not to disclose the place where the minor is being held at a subsequent detention hearing.
EC § 48907 – Pupil freedom of expression; prohibited expression; school district publications code; prior restraint

Students of the public schools shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not such publications or other means of expression are supported financially by the school or by use of school facilities, except that expression shall be prohibited which is obscene, libelous, or slanderous. Also prohibited shall be material which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school.

Each governing board of a school district and each county board of education shall adopt rules and regulations in the form of a written publications code, which shall include reasonable provisions for the time, place, and manner of conducting such activities within its respective jurisdiction.

Student editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this section. However, it shall be the responsibility of a journalism adviser or advisers of student publications within each school to supervise the production of the student staff, to maintain professional standards of English and journalism, and to maintain the provisions of this section.

There shall be no prior restraint of material prepared for official school publications except insofar as it violates this section. School officials shall have the burden of showing justification without undue delay prior to any limitation of student expression under this section.

"Official school publications" refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

Nothing in this section shall prohibit or prevent any governing board of a school district from adopting otherwise valid rules and regulations relating to oral communication by students upon the premises of each school.

EC § 48908 – Duties of all pupils

All pupils shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools.
EC § 48909 – Written notice to superintendent and parent or guardian of pupil alleged to have committed drug or poison, assault, homicide, or rape offense

When a petition is requested in juvenile court or a complaint is filed in any court alleging that a minor of compulsory school attendance age or any pupil currently enrolled in a public school in a grade to and including grade 12 is a person who (a) has used, sold, or possessed narcotics or other hallucinogenic drugs or substances; (b) has inhaled or breathed the fumes of, or ingested any poison classified as such in Section 4160 of the Business and Professions Code; or (c) has committed felonious assault, homicide, or rape the district attorney may, within 48 hours, provide written notice to the superintendent of the school district of attendance, notwithstanding the provisions of Section 827 of the Welfare and Institutions Code, and to the pupil's parent or guardian.

EC § 48910 – Suspension from class by teacher; reports; parent-teacher conferences

(a) A teacher may suspend any pupil from class, for any of the acts enumerated in Section 48900, for the day of the suspension and the day following. The teacher shall immediately report the suspension to the principal of the school and send the pupil to the principal or the designee of the principal for appropriate action. If that action requires the continued presence of the pupil at the schoolsite, the pupil shall be under appropriate supervision, as defined in policies and related regulations adopted by the governing board of the school district. As soon as possible, the teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension. If practicable, a school counselor or a school psychologist may attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests. The pupil shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal.

(b) A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.

(c) A teacher may also refer a pupil, for any of the acts enumerated in Section 48900, to the principal or the designee of the principal for consideration of a suspension from the school.
EC § 48911 – Suspension from school by principal or designee; maximum days; informal conference; notifying parent; extending suspension for expulsion process

(a) The principal of the school, the principal's designee, or the superintendent of schools may suspend a pupil from the school for any of the reasons enumerated in Section 48900, and pursuant to Section 48900.5, for no more than five consecutive schooldays.

(b) Suspension by the principal, the principal's designee, or the superintendent of schools shall be preceded by an informal conference conducted by the principal or the principal's designee or the superintendent of schools between the pupil and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal, the principal's designee, or the superintendent of schools. At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

(c) A principal, the principal's designee, or the superintendent of schools may suspend a pupil without affording the pupil an opportunity for a conference only if the principal, the principal's designee, or the superintendent of schools determines that an emergency situation exists. "Emergency situation," as used in this article, means a situation determined by the principal, the principal's designee, or the superintendent of schools to constitute a clear and present danger to the life, safety, or health of pupils or school personnel. If a pupil is suspended without a conference prior to suspension, both the parent and the pupil shall be notified of the pupil's right to a conference and the pupil's right to return to school for the purpose of a conference. The conference shall be held within two schooldays, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the pupil is physically able to return to school for the conference.

(d) At the time of suspension, a school employee shall make a reasonable effort to contact the pupil's parent or guardian in person or by telephone. Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension.

(e) A school employee shall report the suspension of the pupil, including the cause therefor, to the governing board of the school district or to the school district superintendent in accordance with the regulations of the governing board.

(f) The parent or guardian of any pupil shall respond without delay to any request from school officials to attend a conference regarding his or her child's behavior.
No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

(g) In a case where expulsion from any school or suspension for the balance of the semester from continuation school is being processed by the governing board, the school district superintendent or other person designated by the superintendent in writing may extend the suspension until the governing board has rendered a decision in the action. However, an extension may be granted only if the school district superintendent or the superintendent's designee has determined, following a meeting in which the pupil and the pupil's parent or guardian are invited to participate, that the presence of the pupil at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. If the pupil is a foster child, as defined in Section 48853.5, the district superintendent of schools or the district superintendent's designee, including, but not limited to, the educational liaison for the school district, shall also invite the pupil's attorney and an appropriate representative of the county child welfare agency to participate in the meeting. If the pupil or the pupil's parent or guardian has requested a meeting to challenge the original suspension pursuant to Section 48914, the purpose of the meeting shall be to decide upon the extension of the suspension order under this section and may be held in conjunction with the initial meeting on the merits of the suspension.

(h) For the purposes of this section, a "principal's designee" is any one or more administrators at the schoolsite specifically designated by the principal, in writing, to assist with disciplinary procedures.

In the event that there is not an administrator in addition to the principal at the schoolsite, a certificated person at the schoolsite may be specifically designated by the principal, in writing, as a "principal's designee," to assist with disciplinary procedures. The principal may designate only one person at a time as the principal's primary designee for the school year.

An additional person meeting the requirements of this subdivision may be designated by the principal, in writing, to act for the purposes of this article when both the principal and the principal's primary designee are absent from the schoolsite. The name of the person, and the names of any person or persons designated as "principal's designee," shall be on file in the principal's office.

This section is not an exception to, nor does it place any limitation on, Section 48903.
EC § 48911.1 – Supervised suspension classroom; apportionment requirements; notifying parent

(a) A pupil suspended from a school for any of the reasons enumerated in Sections 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff, or if an action to expel the pupil has not been initiated.

(b) Pupils assigned to a supervised suspension classroom shall be separated from other pupils at the schoolsite for the period of suspension in a separate classroom, building, or site for pupils under suspension.

(c) School districts may continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom provided as follows:

(1) The supervised suspension classroom is staffed as otherwise provided by law.

(2) Each pupil has access to appropriate counseling services.

(3) The supervised suspension classroom promotes completion of schoolwork and tests missed by the pupil during the suspension.

(4) Each pupil is responsible for contacting his or her teacher or teachers to receive assignments to be completed while the pupil is assigned to the supervised suspension classroom. The teacher shall provide all assignments and tests that the pupil will miss while suspended. If no classroom work is assigned, the person supervising the suspension classroom shall assign schoolwork.

(d) At the time a pupil is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the pupil's parent or guardian. Whenever a pupil is assigned to a supervised suspension classroom for longer than one class period, a school employee shall notify, in writing, the pupil's parent or guardian.

(e) This section does not place any limitation on a school district's ability to transfer a pupil to an opportunity school or class or a continuation education school or class.

(f) Apportionments claimed by a school district for pupils assigned to supervised suspension shall be used specifically to mitigate the cost of implementing this section.

EC § 48911.2 – Number of pupils suspended exceeding 30 percent of school's enrollment; alternatives to reduce suspension

(a) If the number of pupils suspended from school during the prior school year exceeded 30 percent of the school's enrollment, the school should consider doing at least one of the following:
(1) Implement the supervised suspension program described in Section 48911.1.

(2) Implement an alternative to the school's off-campus suspension program, which involves a progressive discipline approach that occurs during the schoolday on campus, using any of the following activities:

(A) Conferences between the school staff, parents, and pupils.

(B) Referral to the school counselor, psychologist, child welfare attendance personnel, or other school support service staff.

(C) Detention.

(D) Study teams, guidance teams, resource panel teams, or other assessment-related teams.

(b) At the end of the academic year, the school may report to the district superintendent in charge of school support services, or other comparable administrator if that position does not exist, on the rate of reduction in the school's off-campus suspensions and the plan or activities used to comply with subdivision (a).

(c) It is the intent of the Legislature to encourage schools that choose to implement this section to examine alternatives to off-campus suspensions that lead to resolution of pupil misconduct without sending pupils off campus. Schools that use this section should not be precluded from suspending pupils to an off-campus site.

EC § 48911.5 — Suspension by principal of nonpublic, nonsectarian school providing services to pupils with exceptional needs

The site principal of a contracting nonpublic, nonsectarian school providing services to individuals with exceptional needs under Sections 56365 and 56366, shall have the same duties and responsibilities with respect to the suspension of pupils with previously identified exceptional needs prescribed for the suspension of pupils under Section 48911.

EC § 48912 — Suspension from school by governing board; notifying parent of closed session; parent request for public meeting

(a) The governing board may suspend a pupil from school for any of the acts enumerated in Section 48900 for any number of schooldays within the limits prescribed by Section 48903.

(b) Notwithstanding the provisions of Section 35145 of this code and Section 54950 of the Government Code, the governing board of a school district shall, unless a request has been made to the contrary, hold closed sessions if the board is considering the suspension of, disciplinary action against, or any other action against, except expulsion, any pupil, if a public hearing upon that question would lead to the giving out of information concerning a school pupil which
would be in violation of Article 5 (commencing with Section 49073) of Chapter 6.5.

(c) Before calling a closed session to consider these matters, the governing board shall, in writing, by registered or certified mail or by personal service, notify the pupil and the pupil's parent or guardian, or the pupil if the pupil is an adult, of the intent of the governing board to call and hold a closed session. Unless the pupil or the pupil's parent or guardian shall, in writing, within 48 hours after receipt of the written notice of the board's intention, request that the hearing be held as a public meeting, the hearing to consider these matters shall be conducted by the governing board in closed session. In the event that a written request is served upon the clerk or secretary of the governing board, the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any pupil other than the pupil requesting the public meeting, shall be in closed session.

EC § 48912.5 — Suspension from continuation school by governing board

The governing board of a school district may suspend a pupil enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts enumerated in Section 48900 occurred. The suspension shall meet the requirements of Section 48915.

EC § 48913 — Completion of assignments or tests missed during suspension

The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments and tests missed during the suspension.

EC § 48914 — Meeting with parent or guardian of suspended pupil; local policy

Each school district is authorized to establish a policy that permits school officials to conduct a meeting with the parent or guardian of a suspended pupil to discuss the causes, the duration, the school policy involved, and other matters pertinent to the suspension.

EC § 48915 — Circumstances for recommending and ordering expulsion; referral to specified program of study; knife and explosive defined

(a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would
address the conduct:

(A) Causing serious physical injury to another person, except in self-defense.

(B) Possession of any knife or other dangerous object of no reasonable use to the pupil.

(C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:

(i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.

(ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.

(D) Robbery or extortion.

(E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

(b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which
suspension, or expulsion pursuant to subdivision (e), may be imposed.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

(d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the schoolsite attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

(1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
EC § 48915 continued

(g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

EC § 48915.01 — Referral to community day school on same site as comprehensive school

If the governing board of a school district has established a community day school pursuant to Section 48661 on the same site as a comprehensive middle, junior, or senior high school, or at any elementary school, the governing board does not have to meet the condition in paragraph (2) of subdivision (d) of Section 48915 when the board, pursuant to subdivision (f) of Section 48915, refers a pupil to a program of study and that program of study is at the community day school. All other conditions of subdivision (d) of Section 48915 are applicable to the referral as required by subdivision (f) of Section 48915.

EC § 48915.1 — Enrollment of expelled pupil in another school district; hearing process; placement options

(a) If the governing board of a school district receives a request from an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for enrollment in a school maintained by the school district, the board shall hold a hearing to determine whether that individual poses a continuing danger either to the pupils or employees of the school district. The hearing and notice shall be conducted in accordance with the rules and regulations governing procedures for the expulsion of pupils as described in Section 48918.

A school district may request information from another school district regarding a recommendation for expulsion or the expulsion of an applicant for enrollment. The school district receiving the request shall respond to the request with all deliberate speed but shall respond no later than five working days from the date of the receipt of the request.

(b) If a pupil has been expelled from his or her previous school for an act other than those listed in subdivision (a) or (c) of Section 48915, the parent, guardian, or pupil, if the pupil is emancipated or otherwise legally of age, shall, upon enrollment, inform the receiving school district of his or her status with the previous school district. If this information is not provided to the school district and the school district later determines the pupil was expelled from the previous school, the lack of compliance shall be recorded and discussed in the hearing required pursuant to subdivision (a).
(c) The governing board of a school district may make a determination to deny enrollment to an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for the remainder of the expulsion period after a determination has been made, pursuant to a hearing, that the individual poses a potential danger to either the pupils or employees of the school district.

(d) The governing board of a school district, when making its determination whether to enroll an individual who has been expelled from another school district for these acts, may consider the following options:

1. Deny enrollment.
2. Permit enrollment.
3. Permit conditional enrollment in a regular school program or another educational program.

(e) Notwithstanding any other provision of law, the governing board of a school district, after a determination has been made, pursuant to a hearing, that an individual expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915 does not pose a danger to either the pupils or employees of the school district, shall permit the individual to enroll in a school in the school district during the term of the expulsion, provided that he or she, subsequent to the expulsion, either has established legal residence in the school district, pursuant to Section 48200, or has enrolled in the school pursuant to an interdistrict agreement executed between the affected school districts pursuant to Chapter 5 (commencing with Section 46600).

EC § 48915.2 – Enrollment of pupil expelled under 48915(a) or (c) in another school district; placement during period of expulsion; hearing process

(a) A pupil expelled from school for any of the offenses listed in subdivision (a) or (c) of Section 48915, shall not be permitted to enroll in any other school or school district during the period of expulsion unless it is a county community school pursuant to subdivision (c) of Section 1981, or a juvenile court school, as described in Section 48645.1, or a community day school pursuant to Article 3 (commencing with Section 48660) of Chapter 4 of Part 27.

(b) After a determination has been made, pursuant to a hearing under Section 48918, that an individual expelled from another school district for any act described in subdivision (a) or (c) of Section 48915 does not pose a danger to either the pupils or employees of the school district, the governing board of a school district may permit the individual to enroll in the school district after the term of expulsion, subject to one of the following conditions:
EC § 48915.2 continued

(1) He or she has established legal residence in the school district, pursuant to Section 48200.

(2) He or she is enrolled in the school pursuant to an interdistrict agreement executed between the affected school districts pursuant to Chapter 5 (commencing with Section 46600) of Part 26.

EC § 48915.5 – Suspension or expulsion of pupils with exceptional needs; FAPE; provision of transportation

(a) An individual with exceptional needs, as defined in Section 56026, may be suspended or expelled from school in accordance with Section 1415(k) of Title 20 of the United States Code, the discipline provisions contained in Sections 300.530 to 300.537, inclusive, of Title 34 of the Code of Federal Regulations, and other provisions of this part that do not conflict with federal law and regulations.

(b) A free appropriate public education for individuals with exceptional needs suspended or expelled from school shall be in accordance with Section 1412(a)(1) of Title 20 of the United States Code and Section 300.530(d) of Title 34 of the Code of Federal Regulations.

(c) If an individual with exceptional needs is excluded from schoolbus transportation, the pupil is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent or guardian provided that transportation is specified in the pupil's individualized education program.

(d) If the individual with exceptional needs is a foster child, as defined in Section 48853.5, and the local educational agency has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools, the attorney for the individual with exceptional needs and an appropriate representative of the county child welfare agency shall be invited to participate in the individualized education program team meeting that makes a manifestation determination pursuant to Section 1415(k) of Title 20 of the United States Code. The invitation may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

EC § 48916 – Duration of expulsion order; readmission date; rehabilitation plan; procedure for readmission

(a) An expulsion order shall remain in effect until the governing board, in the manner prescribed in this article, orders the readmission of a pupil. At the time an expulsion of a pupil is ordered for an act other than those described in subdivision (c) of Section 48915, the governing board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the district or to the school the pupil last attended. If
EC § 48916 continued

Expulsion ordered during summer session

an expulsion is ordered during summer session or the intersession period of a year-round program the governing board shall set a date, not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the district or to the school the pupil last attended. For a pupil who has been expelled pursuant to subdivision (c) of Section 48915, the governing board shall set a date of one year from the date the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the district, except that the governing board may set an earlier date for readmission on a case-by-case basis.

Rehabilitation plan

(b) The governing board shall recommend a plan of rehabilitation for the pupil at the time of the expulsion order, which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs.

(c) The governing board of each school district shall adopt rules and regulations establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, the governing board shall readmit the pupil, unless the governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other pupils or employees of the school district. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered.

Denial of readmission

(d) If the governing board denies the readmission of an expelled pupil pursuant to subdivision (c), the governing board shall make a determination either to continue the placement of the pupil in the alternative educational program initially selected for the pupil during the period of the expulsion order or to place the pupil in another program that may include, but need not be limited to, serving expelled pupils, including placement in a county community school.

(e) The governing board shall provide written notice to the expelled pupil and the pupil's parent or guardian describing the reasons for denying the pupil readmittance into the regular school district program. The written notice shall also include the determination of the educational program for the expelled pupil pursuant to subdivision (d). The expelled pupil shall enroll in that educational program unless the parent or guardian of the pupil elects to enroll the pupil in another school district.
EC § 48916.1 — Educational program for expelled students; obligation to maintain expulsion data

(a) At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion. Except for pupils expelled pursuant to subdivision (d) of Section 48915, the governing board of a school district is required to implement the provisions of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.

(b) Notwithstanding any other provision of law, any educational program provided pursuant to subdivision (a) may be operated by the school district, the county superintendent of schools, or a consortium of districts or in joint agreement with the county superintendent of schools.

(c) Any educational program provided pursuant to subdivision (b) may not be situated within or on the grounds of the school from which the pupil was expelled.

(d) If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) may not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660.

(e) (1) Each school district shall maintain the following data:

(A) The number of pupils recommended for expulsion.

(B) The grounds for each recommended expulsion.

(C) Whether the pupil was subsequently expelled.

(D) Whether the expulsion order was suspended.

(E) The type of referral made after the expulsion.

(F) The disposition of the pupil after the end of the period of expulsion.

(2) The Superintendent may require a school district to report this data as part of the coordinated compliance review. If a school district does not report outcome data as required by this subdivision, the Superintendent may not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with this subdivision. Before withholding the apportionment of funds to a school district pursuant to this
EC § 48916.1 continued subdivision, the Superintendent shall give written notice to the governing board of the school district that the school district has failed to report the data required by paragraph (1) and that the school district has 30 calendar days from the date of the written notice of noncompliance to report the requested data and thereby avoid the withholding of the apportionment of funds.

(f) If the county superintendent of schools is unable for any reason to serve the expelled pupils of a school district within the county, the governing board of that school district may enter into an agreement with a county superintendent of schools in another county to provide education services for the district's expelled pupils.

EC § 48916.5 – Enrollment in drug rehabilitation program; parent consent

The governing board may require a pupil who is expelled from school for reasons relating to controlled substances, as defined in Sections 11054 to 11058, inclusive, of the Health and Safety Code, or alcohol, prior to returning to school to enroll in a county-supported drug rehabilitation program. No pupil shall be required to enroll in a rehabilitation program pursuant to this section without the consent of his or her parent or guardian.

EC § 48917 – Suspending enforcement of expulsion order; placement options; revocation; expunging record of expulsion

(a) The governing board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian’s refusal to participate in the rehabilitation program shall not be considered in the governing board's determination as to whether the pupil has satisfactorily completed the rehabilitation program.

(b) The governing board shall apply the criteria for suspending the enforcement of the expulsion order equally to all pupils, including individuals with exceptional needs as defined in Section 56026.

(c) During the period of the suspension of the expulsion order, the pupil is deemed to be on probationary status.

(d) The governing board may revoke the suspension of an expulsion order under this section if the pupil commits any of the acts enumerated in Section 48900 or violates any of the district's rules and regulations governing pupil conduct. When the governing board revokes the suspension of an expulsion order, a pupil may be expelled under the terms of the original expulsion order.
EC § 48917 continued

(e) Upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

(f) A decision of the governing board to suspend an expulsion order does not affect the time period and requirements for the filing of an appeal of the expulsion order with the county board of education required under Section 48919. Any appeal shall be filed within 30 days of the original vote of the governing board.

EC § 48918 – Rules governing expulsion process

The governing board of each school district shall establish rules and regulations governing procedures for the expulsion of pupils. These procedures shall include, but are not necessarily limited to, all of the following:

(a) The pupil shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing shall be held within 30 school days after the date the principal or the superintendent of schools determines that the pupil has committed any of the acts enumerated in Section 48900, unless the pupil requests, in writing, that the hearing be postponed. The adopted rules and regulations shall specify that the pupil is entitled to at least one postponement of an expulsion hearing, for a period of not more than 30 calendar days. Any additional postponement may be granted at the discretion of the governing board.

Postponement of hearing

Within 10 school days after the conclusion of the hearing, the governing board shall decide whether to expel the pupil, unless the pupil requests in writing that the decision be postponed. If the hearing is held by a hearing officer or an administrative panel, or if the district governing board does not meet on a weekly basis, the governing board shall decide whether to expel the pupil within 40 school days after the date of the pupil’s removal from his or her school of attendance for the incident for which the recommendation for expulsion is made by the principal or the superintendent, unless the pupil requests in writing that the decision be postponed.

Extension of the time period for holding the expulsion hearing

If compliance by the governing board with the time requirements for the conducting of an expulsion hearing under this subdivision is impracticable during the regular school year, the superintendent of schools or the superintendent's designee may, for good cause, extend the time period for the holding of the expulsion hearing for an additional five school days. If compliance by the governing board with the time requirements for the conducting of an expulsion hearing under this subdivision is impractical due to a summer recess of governing board meetings of more than two weeks, the days during the recess period shall not be counted as school days in meeting the time requirements. The days not counted as school days in meeting the time requirements for an expulsion hearing because of a summer
recess of governing board meetings shall not exceed 20 schooldays, as defined in subdivision (c) of Section 48925, and unless the pupil requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of school for the school year. Reasons for the extension of the time for the hearing shall be included as a part of the record at the time the expulsion hearing is conducted. Upon the commencement of the hearing, all matters shall be pursued and conducted with reasonable diligence and shall be concluded without any unnecessary delay.

(b) Written notice of the hearing shall be forwarded to the pupil at least 10 calendar days prior to the date of the hearing. The notice shall include all of the following:

(1) The date and place of the hearing.

(2) A statement of the specific facts and charges upon which the proposed expulsion is based.

(3) A copy of the disciplinary rules of the district that relate to the alleged violation.

(4) A notice of the parent, guardian, or pupil's obligation pursuant to subdivision (b) of Section 48915.1.

(5) Notice of the opportunity for the pupil or the pupil's parent or guardian to appear in person or to be represented by legal counsel or by a nonattorney adviser, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses who testify at the hearing, to question all other evidence presented, and to present oral and documentary evidence on the pupil's behalf, including witnesses. In a hearing in which a pupil is alleged to have committed or attempted to commit a sexual assault as specified in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900, a complaining witness shall be given five days' notice before being called to testify, and shall be entitled to have up to two adult support persons, including, but not limited to, a parent, guardian, or legal counsel, present during their testimony. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential. Nothing in this subdivision shall preclude the person presiding over an expulsion hearing from removing a support person whom the presiding person finds is disrupting the hearing. If one or both of the support persons is also a witness, the provisions of Section 868.5 of the Penal Code shall be followed for the hearing. This section does not require a pupil or the pupil's parent or guardian to be represented by legal counsel or by a nonattorney adviser at the hearing.

(A) For purposes of this section, "legal counsel" means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.
EC § 48918 continued

(B) For purposes of this section, "nonattorney advisor" means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case, and has been selected by the pupil or pupil's parent or guardian to provide assistance at the hearing.

(c) Notwithstanding Section 54593 of the Government Code and Section 35145, the governing board shall conduct a hearing to consider the expulsion of a pupil in a session closed to the public, unless the pupil requests, in writing, at least five days before the date of the hearing, that the hearing be conducted at a public meeting. Regardless of whether the expulsion hearing is conducted in a closed or public session, the governing board may meet in closed session for the purpose of deliberating and determining whether the pupil should be expelled.

If the governing board or the hearing officer or administrative panel appointed under subdivision (d) to conduct the hearing admits any other person to a closed deliberation session, the parent or guardian of the pupil, the pupil, and the counsel of the pupil also shall be allowed to attend the closed deliberations.

If the hearing is to be conducted at a public meeting, and there is a charge of committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

(d) Instead of conducting an expulsion hearing itself, the governing board may contract with the county hearing officer, or with the Office of Administrative Hearings of the State of California pursuant to Chapter 14 (commencing with Section 27720) of Part 3 of Division 2 of Title 3 of the Government Code and Section 35207, for a hearing officer to conduct the hearing. The governing board may also appoint an impartial administrative panel of three or more certificated persons, none of whom is a member of the board or employed on the staff of the school in which the pupil is enrolled. The hearing shall be conducted in accordance with all of the procedures established under this section.

(e) Within three schooldays after the hearing, the hearing officer or administrative panel shall determine whether to recommend the expulsion of the pupil to the governing board. If the hearing officer or administrative panel decides not to recommend expulsion, the expulsion proceedings shall be terminated and the pupil immediately shall be reinstated and permitted to return to a classroom instructional program, any other instructional program, a rehabilitation program, or
any combination of these programs. Placement in one or more of these programs shall be made by the superintendent of schools or the superintendent's designee after consultation with school district personnel, including the pupil's teachers, and the pupil's parent or guardian. The decision not to recommend expulsion shall be final.

(1) If the hearing officer or administrative panel recommends expulsion, findings of fact in support of the recommendation shall be prepared and submitted to the governing board. All findings of fact and recommendations shall be based solely on the evidence adduced at the hearing. If the governing board accepts the recommendation calling for expulsion, acceptance shall be based either upon a review of the findings of fact and recommendations submitted by the hearing officer or panel or upon the results of any supplementary hearing conducted pursuant to this section that the governing board may order.

The decision of the governing board to expel a pupil shall be based upon substantial evidence relevant to the charges adduced at the expulsion hearing or hearings. Except as provided in this section, no evidence to expel shall be based solely upon hearsay evidence. The governing board or the hearing officer or administrative panel may, upon a finding that good cause exists, determine that the disclosure of either the identity of a witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

(g) A record of the hearing shall be made. The record may be maintained by any means, including electronic recording, so long as a reasonably accurate and complete written transcription of the proceedings can be made.

(h) Technical rules of evidence shall not apply to the hearing, but relevant evidence may be admitted and given probative effect only if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. A decision of the governing board to expel shall be supported by substantial evidence showing that the pupil committed any of the acts enumerated in Section 48900.

In hearings which include an allegation of committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900, evidence of specific instances, of a complaining witness' prior sexual conduct is to be presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence
be heard. Before the person conducting the hearing makes the determination on whether extraordinary circumstances exist requiring that specific instances of a complaining witness' prior sexual conduct be heard, the complaining witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

(i) (1) Before the hearing has commenced, the governing board may issue subpoenas at the request of either the superintendent of schools or the superintendent's designee or the pupil, for the personal appearance of percipient witnesses at the hearing. After the hearing has commenced, the governing board or the hearing officer or administrative panel may, upon request of either the county superintendent of schools or the superintendent's designee or the pupil, issue subpoenas. All subpoenas shall be issued in accordance with Sections 1985, 1985.1, and 1985.2 of the Code of Civil Procedure. Enforcement of subpoenas shall be done in accordance with Section 11455.20 of the Government Code.

(2) Any objection raised by the superintendent of schools or the superintendent's designee or the pupil to the issuance of subpoenas may be considered by the governing board in closed session, or in open session, if so requested by the pupil before the meeting. Any decision by the governing board in response to an objection to the issuance of subpoenas shall be final and binding.

(3) If the governing board, hearing officer, or administrative panel determines, in accordance with subdivision (f), that a percipient witness would be subject to an unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as provided for in subdivision (f).

(4) Service of process shall be extended to all parts of the state and shall be served in accordance with Section 1987 of the Code of Civil Procedure. All witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the state or any political subdivision thereof, shall receive fees, and all witnesses appearing pursuant to subpoena, except the parties, shall receive mileage in the same amount and under the same circumstances as prescribed for witnesses in civil actions in a superior court. Fees and mileage shall be paid by the party at whose request the witness is subpoenaed.

(j) Whether an expulsion hearing is conducted by the governing board or before a hearing officer or administrative panel, final action to expel a pupil shall be taken only by the governing board in a public session. Written notice of any decision to expel or to suspend the enforcement of an expulsion order during a period of probation shall
be sent by the superintendent of schools or his or her designee to the pupil or the pupil's parent or guardian and shall be accompanied by all of the following:

(1) Notice of the right to appeal the expulsion to the county board of education.

(2) Notice of the education alternative placement to be provided to the pupil during the time of expulsion.

(3) Notice of the obligation of the parent, guardian, or pupil under subdivision (b) of Section 48915.1, upon the pupil's enrollment in a new school district, to inform that district of the pupil's expulsion.

(k) The governing board shall maintain a record of each expulsion, including the cause therefor. Records of expulsions shall be a nonprivileged, disclosable public record. The expulsion order and the causes therefor shall be recorded in the pupil's mandatory interim record and shall be forwarded to any school in which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil's school records.

**EC § 48918.1 – Foster children; notice of expulsion hearing to pupil's attorney and representative of county child welfare agency**

(a) If the decision to recommend expulsion is a discretionary act and the pupil is a foster child, as defined in Section 48853.5, the governing board of the school district shall provide notice of the expulsion hearing to the pupil’s attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(b) If a recommendation of expulsion is required and the pupil is a foster child, as defined in Section 48853.5, the governing board of the school district may provide notice of the expulsion hearing to the pupil’s attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

**EC § 48918.5 – Additional rules governing expulsion process for cases involving sexual assault or battery**

In expulsion hearings involving allegations brought pursuant to subdivision (n) of Section 48900, the governing board of each school district shall establish rules and regulations governing procedures. The procedures shall include, but are not limited to, all of the following:

(a) At the time that the expulsion hearing is recommended, the complaining witness shall be provided with a copy of the applicable
disciplinary rules and advised of his or her right to: (1) receive five days' notice of the complaining witness's scheduled testimony at the hearing, (2) have up to two adult support persons of his or her choosing, present in the hearing at the time he or she testifies; and (3) to have the hearing closed during the time they testify pursuant to subdivision (c) of Section 48918.

(b) An expulsion hearing may be postponed for one schoolday in order to accommodate the special physical, mental, or emotional needs of a pupil who is the complaining witness where the allegations arise under subdivision (n) of Section 48900.

(c) The district shall provide a nonthreatening environment for a complaining witness in order to better enable them to speak freely and accurately of the experiences that are the subject of the expulsion hearing, and to prevent discouragement of complaints. Each school district shall provide a room separate from the hearing room for the use of the complaining witness prior to and during breaks in testimony. In the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he or she may leave the hearing room. The person conducting the hearing may arrange the seating within the hearing room of those present in order to facilitate a less intimidating environment for the complaining witness. The person conducting the hearing may limit the time for taking the testimony of a complaining witness to the hours he or she is normally in school, if there is no good cause to take the testimony during other hours. The person conducting the hearing may permit one of the complaining witness's support persons to accompany him or her to the witness stand.

(d) Whenever any allegation is made of conduct violative of subdivision (n) of Section 48900, complaining witnesses and accused pupils are to be advised immediately to refrain from personal or telephonic contact with each other during the pendency of any expulsion process.

EC § 48918.6 – Testimony of pupil witnesses privileged

In addition to any other immunity that may exist, any testimony provided by a pupil witness in an expulsion hearing conducted pursuant to this article is expressly deemed to be a communication protected by subdivision (b) of Section 47 of the Civil Code.

EC § 48919 – Appeal to county board of education

If a pupil is expelled from school, the pupil or the pupil's parent or guardian may, within 30 days following the decision of the governing board to expel, file an appeal to the county board of education which shall hold a hearing thereon and render its decision.

The county board of education, or in a class 1 or class 2 county a hearing officer or impartial administrative panel, shall hold the
hearing within 20 schooldays following the filing of a formal request under this section. If the county board of education hears the appeal without a hearing conducted pursuant to Section 48919.5, then the board shall render a decision within three schooldays of the hearing conducted pursuant to Section 48920, unless the pupil requests a postponement.

The period within which an appeal is to be filed shall be determined from the date a governing board votes to expel even if enforcement of the expulsion action is suspended and the pupil is placed on probation pursuant to Section 48917. A pupil who fails to appeal the original action of the board within the prescribed time may not subsequently appeal a decision of the board to revoke probation and impose the original order of expulsion.

The county board of education shall adopt rules and regulations establishing procedures for expulsion appeals conducted under this section. If the county board of education in a class 1 or class 2 county elects to use the procedures in Section 48919.5, then the board shall adopt rules and regulations establishing procedures for expulsion appeals conducted under Section 48919.5. The adopted rules and regulations shall include, but need not be limited to, the requirements for filing a notice of appeal, the setting of a hearing date, the furnishing of notice to the pupil and the governing board regarding the appeal, the furnishing of a copy of the expulsion hearing record to the county board of education, procedures for the conduct of the hearing, and the preservation of the record of the appeal.

The pupil shall submit a written request for a copy of the written transcripts and supporting documents from the school district simultaneously with the filing of the notice of appeal with the county board of education. The school district shall provide the pupil with the transcripts, supporting documents, and records within 10 schooldays following the pupil's written request. Upon receipt of the records, the pupil shall immediately file suitable copies of these records with the county board of education.

**EC § 48919.5 – Class 1 or Class 2 counties; use of hearing officer or impartial administrative panel to hear appeals**

(a) A county board of education in a class 1 or class 2 county may have a hearing officer pursuant to Chapter 14 (commencing with Section 27720) of Part 3 of Title 3 of the Government Code, or an impartial administrative panel of three or more certificated persons appointed by the county board of education, hear appeals filed pursuant to Section 48919. The members of the impartial administrative panel shall not be members of the governing board of the school district nor employees of the school district, from which the pupil filing the appeal was expelled. Neither the hearing officer, nor any member of the administrative panel, hearing a pupil's appeal
EC § 48919.5 continued

shall have been the hearing officer or a member of the administrative panel that conducted the pupil's expulsion hearing.

(b) A hearing conducted pursuant to this section shall not issue a final order of the county board. The hearing officer or impartial administrative panel shall prepare a recommended decision, including any findings or conclusions required for that decision, and shall submit that recommendation and the record to the county board of education within three schooldays of hearing the appeal.

(c) Sections 48919, 48920, 48921, 48922, 48923, and 48925 are applicable to a hearing conducted pursuant to this section.

(d) Within 10 schooldays of receiving the recommended decision and record from the hearing officer or the impartial administrative panel, the county board of education shall review the recommended decision and record and render a final order of the board.

(e) For purposes of this article, the following definitions shall apply:

(1) "Countywide ADA" means the aggregate number of annual units of regular average daily attendance for the fiscal year in all school districts within the county.

(2) "Class 1 county" means a county with 1994/95 countywide ADA of more than 500,000.

(3) "Class 2 county" means a county with 1994/95 countywide ADA of at least 180,000 but less than 500,000.

EC § 48920 – Appeal hearing in closed session; request for hearing in public session

Notwithstanding the provisions of Section 54950 of the Government Code and Section 35145 of this code, the county board of education shall hear an appeal of an expulsion order in closed session, unless the pupil requests, in writing, at least five days prior to the date of the hearing, that the hearing be conducted in a public meeting. Upon the timely submission of a request for a public meeting, the county board of education shall be required to honor the request. Whether the hearing is conducted in closed or public session, the county board may meet in closed session for the purpose of deliberations. If the county board admits any representative of the pupil or the school district, the board shall, at the same time, admit representatives from the opposing party.

EC § 48921 – Appeal determined from record of hearing before district board; request for transcript; cost

The county board of education shall determine the appeal from a pupil expulsion upon the record of the hearing before the district governing board, together with such applicable documentation or regulations as may be ordered. No evidence other than that contained
in the record of the proceedings of the school board may be heard
unless a de novo proceeding is granted as provided in Section 48923.

It shall be the responsibility of the pupil to submit a written
transcription for review by the county board. The cost of the
transcript shall be borne by the pupil except in either of the following
situations:

(1) Where the pupil's parent or guardian certifies to the school
district that he or she cannot reasonably afford the cost of the
transcript because of limited income or exceptional necessary
expenses, or both.

(2) In a case in which the county board reverses the decision of the
local governing board, the county board shall require that the local
board reimburse the pupil for the cost of such transcription.

**EC § 48922 – Limited scope of review**

(a) The review by the county board of education of the decision of
the governing board shall be limited to the following questions:

(1) Whether the governing board acted without or in excess of its
jurisdiction.

(2) Whether there was a fair hearing before the governing board.

(3) Whether there was a prejudicial abuse of discretion in the
hearing.

(4) Whether there is relevant and material evidence which, in the
exercise of reasonable diligence, could not have been produced or
which was improperly excluded at the hearing before the governing
board.

(b) As used in this section, a proceeding without or in excess of
jurisdiction includes, but is not limited to, a situation where an
expulsion hearing is not commenced within the time periods
prescribed by this article, a situation where an expulsion order is not
based upon the acts enumerated in Section 48900, or a situation
involving acts not related to school activity or attendance.

(c) For purposes of this section, an abuse of discretion is established
in any of the following situations:

(1) If school officials have not met the procedural requirements of
this article.

(2) If the decision to expel a pupil is not supported by the findings
prescribed by Section 48915.

(3) If the findings are not supported by the evidence.

A county board of education may not reverse the decision of a
governing board to expel a pupil based upon a finding of an abuse of
discretion unless the county board of education also determines that
the abuse of discretion was prejudicial.
EC § 48923 – Decisions county board may render on appeal

The decision of the county board shall be limited as follows:

(a) If the county board finds that relevant and material evidence exists which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the governing board, it may do either of the following:

(1) Remand the matter to the governing board for reconsideration and may in addition order the pupil reinstated pending the reconsideration.

(2) Grant a hearing de novo upon reasonable notice thereof to the pupil and to the governing board. The hearing shall be conducted in conformance with the rules and regulations adopted by the county board under Section 48919.

(b) If the county board determines that the decision of the governing board is not supported by the findings required to be made by Section 48915, but evidence supporting the required findings exists in the record of the proceedings, the county board shall remand the matter to the governing board for adoption of the required findings. This remand for the adoption and inclusion of the required findings shall not result in an additional hearing pursuant to Section 48918, except that final action to expel the pupil based on the revised findings of fact shall meet all requirements of subdivisions (j) and (k) of Section 48918.

(c) In all other cases, the county board shall enter an order either affirming or reversing the decision of the governing board. In any case in which the county board enters a decision reversing the local board, the county board may direct the local board to expunge the record of the pupil and the records of the district of any references to the expulsion action and the expulsion shall be deemed not to have occurred.

EC § 48924 – Final administrative action

The decision of the county board of education shall be final and binding upon the pupil and upon the governing board of the school district. The pupil and the governing board shall be notified of the final order of the county board, in writing, either by personal service or by certified mail. The order shall become final when rendered.

EC § 48925 – Definitions

As used in this article:

(a) "Day" means a calendar day unless otherwise specifically provided.

(b) "Expulsion" means removal of a pupil from (1) the immediate supervision and control, or (2) the general supervision, of school personnel, as those terms are used in Section 46300.
(c) "Schoolday" means a day upon which the schools of the district are in session or weekdays during the summer recess.

(d) "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean any of the following:

(1) Reassignment to another education program or class at the same school where the pupil will receive continuing instruction for the length of day prescribed by the governing board for pupils of the same grade level.

(2) Referral to a certificated employee designated by the principal to advise pupils.

(3) Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the pupil to the principal or the principal's designee as provided in Section 48910. Removal from a particular class shall not occur more than once every five schooldays.

(e) "Pupil" includes a pupil's parent or guardian or legal counsel.

EC § 48926 – Adoptions of county plan identifying educational alternatives for expelled pupils, gaps in service, and strategies for filling those gaps

Each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with superintendents of the school districts within the county, shall develop a plan for providing education services to all expelled pupils in that county. The plan shall be adopted by the governing board of each school district within the county and by the county board of education.

The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps. The plan shall also identify alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.

Each county superintendent of schools, in conjunction with the superintendents of the school districts, shall submit to the Superintendent of Public Instruction the county plan for providing educational services to all expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to Section 48916.1, on June 30th thereafter.
EC § 48927 – Application of suspension and expulsion to state special schools

(a) This chapter shall also apply to pupils attending the California School for the Blind and the two California Schools for the Deaf, which shall be referred to as the "state special schools."

(b) Because the state special schools have a governance structure different from that of school districts, for the purposes of this section the following definitions shall apply:

(1) "Superintendent" means the appropriate principal of the state special school in which the pupil is enrolled, or the principal's designee, for purposes of Sections 48900, 48900.2, 48900.3, 48900.4, 48900.5, 48900.7, and 48911, and subdivisions (a) and (j) of Section 48918.

(2) "Governing board of each school district," "governing board of any school district," or "each governing board of a school district" means the Superintendent of Public Instruction or his or her designee for purposes of subdivision (a) of Section 48900.1, subdivision (b) of Section 48901, subdivision (b) of Section 48901.5, Section 48907, Section 48910, the first paragraph of Section 48918, and the first paragraph of Section 48918.5.

(3) "Governing board" means the Superintendent of the State Special School in which the pupil is enrolled for purposes of Section 48912, subdivision (d) of Section 48915, Section 48915.5, Section 48916, Section 48917, subdivisions (a), (c), (d), (f), (h), (i), (j), and (k) of Section 48918, and Sections 48921, 48922, 48923, and 48924.

(4) "Governing board" means the governing board of the district of residence of the expelled pupil for purposes of subdivision (f) of Section 48915 and Section 48916.1. In the case of an adult pupil expelled from a state special school, "governing board" means the governing board of the school district that referred the pupil to the state special school for purposes of the code section cited in this paragraph.

(5) "Superintendent of schools or the governing board" means the appropriate principal of the state special school in which the pupil is enrolled, or the principal's designee, for the purposes of Section 48900.6.

(6) "School district" or "district" means the state special school in which the pupil is enrolled for purposes of Section 48900.8, subdivision (b) of Section 48903, Section 48905, Section 48909, Section 48914, paragraph (1) of subdivision (e) of Section 48916.1, subdivision (c) of Section 48918.5, Section 48919, Section 48920, and Section 48921.

(7) "County board of education" or "county board" means the Superintendent of Public Instruction or his or her designee for purposes of Sections 48920, 48921, 48922, 48923, and 48924.
(8) "Local educational agency" includes a state special school for purposes of Section 48902 and Section 48915.5.

(9) "A change in placement" for purposes of paragraph (2) of subdivision (a) of Section 48915.5 means a referral by the state special school to the pupil's school district of residence for placement in an appropriate interim alternative educational setting.

(10) "Individualized education program team" means the individualized education program team of the pupil's school district of residence with appropriate representation from the state special school in which the pupil is enrolled for purposes of subdivision (a) of Section 48915.5.2.

(11) "Individualized education program team" means the individualized education program team of the state special school in which the pupil is enrolled with appropriate representation from the pupil's school district of residence for purposes of subdivisions (b), (c), and (d) of Section 48915.5.3.

(c) Subdivision (b) of this section shall be deemed to provide the same due process procedural protections to pupils in the state special schools as afforded to pupils in the public school districts of the state.
CALIFORNIA PENAL CODE

PC § 31 – Principals to a crime

All persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly commit the act constituting the offense, or aid and abet in its commission, or, not being present, have advised and encouraged its commission, and all persons counseling, advising, or encouraging children under the age of fourteen years, or persons who are mentally incapacitated, to commit any crime, or who, by fraud, contrivance, or force, occasion the drunkenness of another for the purpose of causing him to commit any crime, or who, by threats, menaces, command, or coercion, compel another to commit any crime, are principals in any crime so committed.

PC § 240 – Assault Defined

An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

PC § 242 – Battery Defined

A battery is any willful and unlawful use of force or violence upon the person of another.

PC § 243.2 – Battery on school or park property or hospital grounds

(a) (1) Except as otherwise provided in Section 243.6, when a battery is committed on school property, park property, or the grounds of a public or private hospital, against any person, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in the county jail not exceeding one year, or by both the fine and imprisonment.

(2) When a violation of this section is committed by a minor on school property, the court may, in addition to any other fine, sentence, or as a condition of probation, order the minor to attend counseling as deemed appropriate by the court at the expense of the minor's parents. The court shall take into consideration the ability of the minor's parents to pay, however, no minor shall be relieved of attending counseling because of the minor's parents' inability to pay for the counseling imposed by this section.

(b) For the purposes of this section, the following terms have the following meanings:

(1) "Hospital" means a facility for the diagnosis, care, and treatment of human illness that is subject to, or specifically exempted from, the licensure requirements of Chapter 2 (commencing with Section 1250) of Division 2 of the Health and Safety Code.
(2) "Park" means any publicly maintained or operated park. It does not include any facility when used for professional sports or commercial events.

(3) "School" means any elementary school, junior high school, four-year high school, senior high school, adult school or any branch thereof, opportunity school, continuation high school, regional occupational center, evening high school, technical school, or community college.

(c) This section shall not apply to conduct arising during the course of an otherwise lawful labor dispute.

**PC § 243.4 – Sexual battery**

(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is
(e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars ($3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars ($2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars ($2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.

(2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

(1) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.

(2) "Sexual battery" does not include the crimes defined in Section 261 or 289.

(3) "Seriously disabled" means a person with severe physical or sensory disabilities.
"Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.

"Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.

"Minor" means a person under 18 years of age.

This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.

In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars ($10,000).

**PC § 245 – Assault with a deadly weapon**

(1) Any person who commits an assault upon the person of another with a deadly weapon or instrument other than a firearm shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not exceeding one year, or by a fine not exceeding ten thousand dollars ($10,000), or by both the fine and imprisonment.

(2) Any person who commits an assault upon the person of another with a firearm shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not less than six months and not exceeding one year, or by both a fine not exceeding ten thousand dollars ($10,000) and imprisonment.

(3) Any person who commits an assault upon the person of another with a machinegun, as defined in Section 12200, or an assault weapon, as defined in Section 12276 or 12276.1, or a .50 BMG rifle, as defined in Section 12278, shall be punished by imprisonment in the state prison for 4, 8, or 12 years.

(4) Any person who commits an assault upon the person of another by any means of force likely to produce bodily injury shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not exceeding one year, or by a fine not exceeding ten thousand dollars ($10,000), or by both the fine and imprisonment.

(b) Any person who commits an assault upon the person of another with a semiautomatic firearm shall be punished by imprisonment in the state prison for three, six, or nine years.
(c) Any person who commits an assault with a deadly weapon or instrument, other than a firearm, or by any means likely to produce great bodily injury upon the person of a peace officer or firefighter, and who knows or reasonably should know that the victim is a peace officer or firefighter engaged in the performance of his or her duties, when the peace officer or firefighter is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for three, four, or five years.

(d) (1) Any person who commits an assault with a firearm upon the person of a peace officer or firefighter, and who knows or reasonably should know that the victim is a peace officer or firefighter engaged in the performance of his or her duties, when the peace officer or firefighter is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for four, six, or eight years.

(2) Any person who commits an assault upon the person of a peace officer or firefighter with a semiautomatic firearm and who knows or reasonably should know that the victim is a peace officer or firefighter engaged in the performance of his or her duties, when the peace officer or firefighter is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for five, seven, or nine years.

(3) Any person who commits an assault with a machinegun, as defined in Section 12200, or an assault weapon, as defined in Section 12276 or 12276.1, or a .50 BMG rifle, as defined in Section 12278, upon the person of a peace officer or firefighter, and who knows or reasonably should know that the victim is a peace officer or firefighter engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for 6, 9, or 12 years.

(e) When a person is convicted of a violation of this section in a case involving use of a deadly weapon or instrument or firearm, and the weapon or instrument or firearm is owned by that person, the court shall order that the weapon or instrument or firearm be deemed a nuisance, and it shall be confiscated and disposed of in the manner provided by Section 12028.

(f) As used in this section, "peace officer" refers to any person designated as a peace officer in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

**PC § 245.6 – Hazing**

(a) It shall be unlawful to engage in hazing, as defined in this section.

(b) "Hazing" means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or
prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.

(c) A violation of this section that does not result in serious bodily injury is a misdemeanor, punishable by a fine of not less than one hundred dollars ($100), nor more than five thousand dollars ($5,000), or imprisonment in the county jail for not more than one year, or both.

(d) Any person who personally engages in hazing that results in death or serious bodily injury as defined in paragraph (4) of subdivision (f) of Section 243 of the Penal Code, is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year, or by imprisonment in the state prison.

(e) The person against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing, or any organization to which the student is seeking membership whose agents, directors, trustees, managers, or officers authorized, requested, commanded, participated in, or ratified the hazing.

(f) Prosecution under this section shall not prohibit prosecution under any other provision of law.

**PC § 261 – Rape defined**

(a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

2. Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
PC § 261 continued

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.
PC § 266c – Unlawful sexual intercourse, sexual penetration, oral copulation, or sodomy

Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person’s free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years.

As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family.

PC § 286 – Sodomy (in part)

(a) Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy...

PC § 288 – Lewd or lascivious acts (in part)

(a) Except as provided in subdivision (i), any person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years...

PC § 288a – Oral copulation (in part)

(a) Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

PC § 289 – Forcible acts of sexual penetration (in part)

(a) (1) (A) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years...

(k) As used in this section:

(1) “Sexual penetration” is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant’s or another
(2) “Foreign object, substance, instrument, or device” shall include any part of the body, except a sexual organ.

(3) “Unknown object” shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.

(l) As used in subdivision (a), “threatening to retaliate” means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.

(m) As used in this section, “victim” includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.

PC § 422.6 – Use of force or threat of force; damage to property for purpose of interfering with exercise of civil rights

(a) No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55.

(b) No person, whether or not acting under color of law, shall knowingly deface, damage, or destroy the real or personal property of any other person for the purpose of intimidating or interfering with the free exercise or enjoyment of any right or privilege secured to the other person by the Constitution or laws of this state or by the Constitution or laws of the United States, in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55.

(c) Any person convicted of violating subdivision (a) or (b) shall be punished by imprisonment in a county jail not to exceed one year, or by a fine not to exceed five thousand dollars ($5,000), or by both the above imprisonment and fine, and the court shall order the defendant to perform a minimum of community service, not to exceed 400 hours, to be performed over a period not to exceed 350 days, during a time other than his or her hours of employment or school attendance. However, no person may be convicted of violating subdivision (a) based upon speech alone, except upon a showing that the speech itself
threatened violence against a specific person or group of persons and that the defendant had the apparent ability to carry out the threat.

(d) Conduct that violates this and any other provision of law, including, but not limited to, an offense described in Article 4.5 (commencing with Section 11410) of Chapter 3 of Title 1 of Part 4, may be charged under all applicable provisions. However, an act or omission punishable in different ways by this section and other provisions of law shall not be punished under more than one provision, and the penalty to be imposed shall be determined as set forth in Section 654.

**PC § 422.7 – Hate crime punishment**

Except in the case of a person punished under Section 422.6, any hate crime that is not made punishable by imprisonment in the state prison shall be punishable by imprisonment in the state prison or in a county jail not to exceed one year, by a fine not to exceed ten thousand dollars ($10,000), or by both that imprisonment and fine, if the crime is committed against the person or property of another for the purpose of intimidating or interfering with that other person's free exercise or enjoyment of any right secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States under any of the following circumstances, which shall be charged in the accusatory pleading:

(a) The crime against the person of another either includes the present ability to commit a violent injury or causes actual physical injury.

(b) The crime against property causes damage in excess of four hundred dollars ($400).

(c) The person charged with a crime under this section has been convicted previously of a violation of subdivision (a) or (b) of Section 422.6, or has been convicted previously of a conspiracy to commit a crime described in subdivision (a) or (b) of Section 422.6.

**PC § 422.75 – Felony that is a hate crime, punishment**

(a) Except in the case of a person punished under Section 422.7, a person who commits a felony that is a hate crime or attempts to commit a felony that is a hate crime, shall receive an additional term of one, two, or three years in the state prison, at the court's discretion.

(b) Except in the case of a person punished under Section 422.7 or subdivision (a) of this section, any person who commits a felony that is a hate crime, or attempts to commit a felony that is a hate crime, and who voluntarily acted in concert with another person, either personally or by aiding and abetting another person, shall receive an additional two, three, or four years in the state prison, at the court's discretion.
PC § 422.75 continued

(c) For the purpose of imposing an additional term under subdivision (a) or (b), it shall be a factor in aggravation that the defendant personally used a firearm in the commission of the offense.

Nothing in this subdivision shall preclude a court from also imposing a sentence enhancement pursuant to Section 12022.5, 12022.53, or 12022.55, or any other law.

(d) A person who is punished pursuant to this section also shall receive an additional term of one year in the state prison for each prior felony conviction on charges brought and tried separately in which it was found by the trier of fact or admitted by the defendant that the crime was a hate crime. This additional term shall only apply where a sentence enhancement is not imposed pursuant to Section 667 or 667.5.

(e) Any additional term authorized by this section shall not be imposed unless the allegation is charged in the accusatory pleading and admitted by the defendant or found to be true by the trier of fact.

(f) Any additional term imposed pursuant to this section shall be in addition to any other punishment provided by law.

(g) Notwithstanding any other provision of law, the court may strike any additional term imposed by this section if the court determines that there are mitigating circumstances and states on the record the reasons for striking the additional punishment.

PC § 528.5 – Credible impersonation of actual person on Internet Web site or other electronic means

(a) Notwithstanding any other provision of law, any person who knowingly and without consent credibly impersonates another actual person through or on an Internet Web site or by other electronic means for purposes of harming, intimidating, threatening, or defrauding another person is guilty of a public offense punishable pursuant to subdivision (d).

(b) For purposes of this section, an impersonation is credible if another person would reasonably believe, or did reasonably believe, that the defendant was or is the person who was impersonated.

(c) For purposes of this section, "electronic means" shall include opening an e-mail account or an account or profile on a social networking Internet Web site in another person's name.

(d) A violation of subdivision (a) is punishable by a fine not exceeding one thousand dollars ($1,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(e) In addition to any other civil remedy available, a person who suffers damage or loss by reason of a violation of subdivision (a) may bring a civil action against the violator for compensatory damages and injunctive relief or other equitable relief pursuant to paragraphs 120
PC § 528.5 continued
(1), (2), (4), and (5) of subdivision (e) and subdivision (g) of Section 502.
(f) This section shall not preclude prosecution under any other law.

PC § 626.9 – Gun-Free School Zone Act of 1995
(a) This section shall be known, and may be cited, as the Gun-Free School Zone Act of 1995.
(b) Any person who possesses a firearm in a place that the person knows, or reasonably should know, is a school zone, as defined in paragraph (1) of subdivision (e), unless it is with the written permission of the school district superintendent, his or her designee, or equivalent school authority, shall be punished as specified in subdivision (f).
(c) Subdivision (b) does not apply to the possession of a firearm under any of the following circumstances:
(1) Within a place of residence or place of business or on private property, if the place of residence, place of business, or private property is not part of the school grounds and the possession of the firearm is otherwise lawful.
(2) When the firearm is an unloaded pistol, revolver, or other firearm capable of being concealed on the person and is in a locked container or within the locked trunk of a motor vehicle.
This section does not prohibit or limit the otherwise lawful transportation of any other firearm, other than a pistol, revolver, or other firearm capable of being concealed on the person, in accordance with state law.
(3) When the person possessing the firearm reasonably believes that he or she is in grave danger because of circumstances forming the basis of a current restraining order issued by a court against another person or persons who has or have been found to pose a threat to his or her life or safety. This subdivision may not apply when the circumstances involve a mutual restraining order issued pursuant to Division 10 (commencing with Section 6200) of the Family Code absent a factual finding of a specific threat to the person's life or safety. Upon a trial for violating subdivision (b), the trier of fact shall determine whether the defendant was acting out of a reasonable belief that he or she was in grave danger.
(4) When the person is exempt from the prohibition against carrying a concealed firearm pursuant to subdivision (b), (d), (e), or (h) of Section 12027.
(d) Except as provided in subdivision (b), it shall be unlawful for any person, with reckless disregard for the safety of another, to discharge, or attempt to discharge, a firearm in a school zone, as defined in paragraph (1) of subdivision (e).
years. Notwithstanding subdivision (k), a university or college shall post a prominent notice at primary entrances on noncontiguous property stating that firearms are prohibited on that property pursuant to this subdivision.

(j) For purposes of this section, a firearm shall be deemed to be loaded when there is an unexpended cartridge or shell, consisting of a case that holds a charge of powder and a bullet or shot, in, or attached in any manner to, the firearm, including, but not limited to, in the firing chamber, magazine, or clip thereof attached to the firearm. A muzzle-loader firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinder.

(k) This section does not require that notice be posted regarding the proscribed conduct.

(l) This section does not apply to a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, any person summoned by any of these officers to assist in making arrests or preserving the peace while he or she is actually engaged in assisting the officer, a member of the military forces of this state or of the United States who is engaged in the performance of his or her duties, a person holding a valid license to carry the firearm pursuant to Article 3 (commencing with Section 12050) of Chapter 1 of Title 2 of Part 4, or an armored vehicle guard, engaged in the performance of his or her duties, as defined in subdivision (e) of Section 7521 of the Business and Professions Code.

(m) This section does not apply to a security guard authorized to carry a loaded firearm pursuant to Section 12031.

(n) This section does not apply to an existing shooting range at a public or private school or university or college campus.

(o) This section does not apply to an honorably retired peace officer authorized to carry a concealed or loaded firearm pursuant to subdivision (a) or (j) of Section 12027 or paragraph (1) or (8) of subdivision (b) of Section 12031.

PC § 626.10 – Possession of other weapons upon grounds of public or private schools

(a) (1) Any person, except a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in this state, a person summoned by any officer to assist in making arrests or preserving the peace while the person is actually engaged in assisting any officer, or a member of the military forces of this state or the United States who is engaged in the performance of his or her duties, who brings or
possesses any dirk, dagger, ice pick, knife having a blade longer than 2 1/2 inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser, or stun gun, as defined in subdivision (a) of Section 244.5, any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun, upon the grounds of, or within, any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year, or by imprisonment in the state prison.

(2) Any person, except a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in this state, a person summoned by any officer to assist in making arrests or preserving the peace while the person is actually engaged in assisting any officer, or a member of the military forces of this state or the United States who is engaged in the performance of his or her duties, who brings or possesses a razor blade or a box cutter upon the grounds of, or within, any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year.

(b) Any person, except a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in this state, a person summoned by any officer to assist in making arrests or preserving the peace while the person is actually engaged in assisting any officer, or a member of the military forces of this state or the United States who is engaged in the performance of his or her duties, who brings or possesses any dirk, dagger, ice pick, or knife having a fixed blade longer than 2 1/2 inches upon the grounds of, or within, any private university, the University of California, the California State University, or the California Community Colleges is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year, or by imprisonment in the state prison.

(c) Subdivisions (a) and (b) do not apply to any person who brings or possesses a knife having a blade longer than 2 1/2 inches, a razor with an unguarded blade, a razor blade, or a box cutter upon the grounds of, or within, a public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, or any private university, state university, or community college at the direction of a faculty member of the private university, state university, or community college, or a certificated or classified employee of the school for use in a private university, state university, community college, or school-sponsored activity or class.
(d) Subdivisions (a) and (b) do not apply to any person who brings or possesses an ice pick, a knife having a blade longer than 2 1/2 inches, a razor with an unguarded blade, a razor blade, or a box cutter upon the grounds of, or within, a public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, or any private university, state university, or community college for a lawful purpose within the scope of the person's employment.

(e) Subdivision (b) does not apply to any person who brings or possesses an ice pick or a knife having a fixed blade longer than 2 1/2 inches upon the grounds of, or within, any private university, state university, or community college for lawful use in or around a residence or residential facility located upon those grounds or for lawful use in food preparation or consumption.

(f) Subdivision (a) does not apply to any person who brings an instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun, or any razor blade or box cutter upon the grounds of, or within, a public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, if the person has the written permission of the school principal or his or her designee.

(g) Any certificated or classified employee or school peace officer of a public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, may seize any of the weapons described in subdivision (a), and any certificated or classified employee or school peace officer of any private university, state university, or community college may seize any of the weapons described in subdivision (b), from the possession of any person upon the grounds of, or within, the school if he or she knows, or has reasonable cause to know, the person is prohibited from bringing or possessing the weapon upon the grounds of, or within, the school.

(h) As used in this section, "dirk" or "dagger" means a knife or other instrument with or without a handguard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death.

(i) Any person who, without the written permission of the college or university president or chancellor or his or her designee, brings or possesses a less lethal weapon, as defined in Section 16780, or a stun gun, as defined in Section 17230, upon the grounds of, or within, a public or private college or university campus is guilty of a misdemeanor.

PC § 626.10 continued

PC § 653.2 – Electronic communication device; prohibited distribution or publication of personal identifying information; definition

(a) Every person who, with intent to place another person in reasonable fear for his or her safety, or the safety of the other person's immediate family, by means of an electronic communication device,
PC § 653.2 continued

and without consent of the other person, and for the purpose of imminently causing that other person unwanted physical contact, injury, or harassment, by a third party, electronically distributes, publishes, e-mails, hyperlinks, or makes available for downloading, personal identifying information, including, but not limited to, a digital image of another person, or an electronic message of a harassing nature about another person, which would be likely to incite or produce that unlawful action, is guilty of a misdemeanor punishable by up to one year in a county jail, by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment.

(b) For purposes of this section, “electronic communication device” includes, but is not limited to, telephones, cell phones, computers, Internet Web pages or sites, Internet phones, hybrid cellular/Internet/wireless devices, personal digital assistants (PDAs), video recorders, fax machines, or pagers. “Electronic communication” has the same meaning as the term is defined in Section 2510(12) of Title 18 of the United States Code.

(c) For purposes of this section, the following terms apply:

(1) “Harassment” means a knowing and willful course of conduct directed at a specific person that a reasonable person would consider as seriously alarming, seriously annoying, seriously tormenting, or seriously terrorizing the person and that serves no legitimate purpose.

(2) “Of a harassing nature” means of a nature that a reasonable person would consider as seriously alarming, seriously annoying, seriously tormenting, or seriously terrorizing of the person and that serves no legitimate purpose.

PC § 868.5 – Attendance of persons to support prosecuting witness in specified cases

(a) Notwithstanding any other law, a prosecuting witness in a case involving a violation of Section 187, 203, 205, 207, 211, 215, 220, 240, 242, 243.4, 245, 261, 262, 273a, 273d, 273.5, 273.6, 278, 278.5, 285, 286, 288, 288a, 288.5, 289, or 647.6, or former Section 277 or 647a, or a violation of subdivision (1) of Section 314, shall be entitled, for support, to the attendance of up to two persons of his or her own choosing, one of whom may be a witness, at the preliminary hearing and at the trial, or at a juvenile court proceeding, during the testimony of the prosecuting witness. Only one of those support persons may accompany the witness to the witness stand, although the other may remain in the courtroom during the witness’ testimony. The person or persons so chosen shall not be a person described in Section 1070 of the Evidence Code unless the person or persons are related to the prosecuting witness as a parent, guardian, or sibling and do not make notes during the hearing or proceeding.

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setting, and to progress toward meeting the goals set out in the child's IEP; and

(ii) receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

(E) Manifestation determination
(i) In general
Except as provided in subparagraph (B), within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the local educational agency, the parent, and relevant members of the IEP Team (as determined by the parent and the local educational agency) shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine--

(I) if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

(II) if the conduct in question was the direct result of the local educational agency's failure to implement the IEP.

(ii) Manifestation
If the local educational agency, the parent, and relevant members of the IEP Team determine that either subclause (I) or (II) of clause (i) is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

(F) Determination that behavior was a manifestation
If the local educational agency, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall--

(i) conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child, that the local educational agency had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement described in subparagraph (C) or (G);

(ii) in the situation where a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and

(iii) except as provided in subparagraph (G), return the child to the placement from which the child was removed, unless the parent and the local educational agency agree to a change of placement as part of the modification of the behavioral intervention plan.

(G) Special circumstances
School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard
20 USC § 1415 continued

to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child--

(i) carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency;

(ii) knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or

(iii) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency.

(H) Notification

Not later than the date on which the decision to take disciplinary action is made, the local educational agency shall notify the parents of that decision, and of all procedural safeguards accorded under this section.

(2) Determination of setting

The interim alternative educational setting in subparagraphs (C) and (G) of paragraph (1) shall be determined by the IEP Team.

(3) Appeal

(A) In general

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination under this subsection, or a local educational agency that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request a hearing.

(B) Authority of hearing officer

(i) In general

A hearing officer shall hear, and make a determination regarding, an appeal requested under subparagraph (A).

(ii) Change of placement order

In making the determination under clause (i), the hearing officer may order a change in placement of a child with a disability. In such situations, the hearing officer may--

(II) return a child with a disability to the placement from which the child was removed; or

(III) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.
(4) Placement during appeals
When an appeal under paragraph (3) has been requested by either the parent or the local educational agency--

(A) the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in paragraph (1)(C), whichever occurs first, unless the parent and the State or local educational agency agree otherwise; and

(B) the State or local educational agency shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing.

(5) Protections for children not yet eligible for special education and related services

(A) In general
A child who has not been determined to be eligible for special education and related services under this subchapter and who has engaged in behavior that violates a code of student conduct, may assert any of the protections provided for in this subchapter if the local educational agency had knowledge (as determined in accordance with this paragraph) that the child was child with a disability before the behavior that precipitated the disciplinary action occurred.

(B) Basis of knowledge
A local educational agency shall be deemed to have knowledge that a child is a child with a disability if, before the behavior that precipitated the disciplinary action occurred--

(i) the parent of the child has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the child, that the child is in need of special education and related services;

(ii) the parent of the child has requested an evaluation of the child pursuant to section 1414(a)(1)(B) of this title; or

(iii) the teacher of the child, or other personnel of the local educational agency, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education of such agency or to other supervisory personnel of the agency.

(C) Exception
A local educational agency shall not be deemed to have knowledge that the child is a child with a disability if the parent of the child has not allowed an evaluation of the child pursuant to section 1414 of this title or has refused services under this subchapter or the child has been evaluated and it was determined that the child was not a child with a disability under this subchapter.
Continued

(D) Conditions that apply if no basis of knowledge

(i) In general

If a local educational agency does not have knowledge that a child is a child with a disability (in accordance with subparagraph (B) or (C)) prior to taking disciplinary measures against the child, the child may be subjected to disciplinary measures applied to children without disabilities who engaged in comparable behaviors consistent with clause (ii).

(a) Limitations

If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures under this subsection, the evaluation shall be conducted in an expedited manner. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the agency and information provided by the parents, the agency shall provide special education and related services in accordance with this subchapter, except that, pending the results of the evaluation, the child shall remain in the educational placement determined by school authorities.

(6) Referral to and action by law enforcement and judicial authorities

(A) Rule of construction

Nothing in this subchapter shall be construed to prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

(B) Transmittal of records

An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.

(7) Definitions

In this subsection:

(A) Controlled substance

The term "controlled substance" means a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(B) Illegal drug

The term "illegal drug" means a controlled substance but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-professional or that is legally
possessed or used under any other authority under that Act [21 U.S.C. 801 et seq.] or under any other provision of Federal law.

(C) Weapon

The term "weapon" has the meaning given the term "dangerous weapon" under section 930(g)(2) of title 18.

(D) Serious bodily injury

The term "serious bodily injury" has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18.

34 CFR § 300.170 – Suspension and expulsion rates

(a) General. The SEA must examine data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities—

(1) Among LEAs in the State; or

(2) Compared to the rates for nondisabled children within those agencies.

(b) Review and revision of policies. If the discrepancies described in paragraph (a) of this section are occurring, the SEA must review and, if appropriate, revise (or require the affected State agency or LEA to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with the Act.

34 CFR § 300.226 – Early intervening services

(a) General. An LEA may not use more than 15 percent of the amount the LEA receives under Part B of the Act for any fiscal year, less any amount reduced by the LEA pursuant to Sec. 300.205, if any, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment. (See Appendix D for examples of how Sec. 300.205(d), regarding local maintenance of effort, and Sec. 300.226(a) affect one another.)

(b) Activities. In implementing coordinated, early intervening services under this section, an LEA may carry out activities that include—
(1) Professional development (which may be provided by entities other than LEAs) for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and

(2) Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

d) Construction. Nothing in this section shall be construed to either limit or create a right to FAPE under Part B of the Act or to delay appropriate evaluation of a child suspected of having a disability.

d) Reporting. Each LEA that develops and maintains coordinated, early intervening services under this section must annually report to the SEA on—

(1) The number of children served under this section who received early intervening services; and

(2) The number of children served under this section who received early intervening services and subsequently receive special education and related services under Part B of the Act during the preceding two year period.

e) Coordination with ESEA. Funds made available to carry out this section may be used to carry out coordinated, early intervening services aligned with activities funded by, and carried out under the ESEA if those funds are used to supplement, and not supplant, funds made available under the ESEA for the activities and services assisted under this section.

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34 CFR § 300.324 – Development, review, and revision of IEP

(a) Development of IEP—

(1) General. In developing each child's IEP, the IEP Team must consider—

(i) The strengths of the child;

(ii) The concerns of the parents for enhancing the education of their child;

(iii) The results of the initial or most recent evaluation of the child; and

(iv) The academic, developmental, and functional needs of the child.

(2) Consideration of special factors. The IEP Team must—

(i) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;

(ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
(iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;

(iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and

(v) Consider whether the child needs assistive technology devices and services.

(3) Requirement with respect to regular education teacher. A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of—

(i) Appropriate positive behavioral interventions and supports and other strategies for the child; and

(ii) Supplementary aids and services, program modifications, and support for school personnel consistent with Sec. 300.320(a)(4).

(4) Agreement.

(i) In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.

(ii) If changes are made to the child's IEP in accordance with paragraph (a)(4)(i) of this section, the public agency must ensure that the child's IEP Team is informed of those changes.

(5) Consolidation of IEP Team meetings. To the extent possible, the public agency must encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.

(6) Amendments. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or as provided in paragraph (a)(4) of this section, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.

(b) Review and revision of IEPs—

(1) General. Each public agency must ensure that, subject to paragraphs (b)(2) and (b)(3) of this section, the IEP Team—
(i) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and

(ii) Revises the IEP, as appropriate, to address—

(A) Any lack of expected progress toward the annual goals described in Sec. 300.320(a)(2), and in the general education curriculum, if appropriate;

(B) The results of any reevaluation conducted under Sec. 300.303;

(C) Information about the child provided to, or by, the parents, as described under Sec. 300.305(a)(2);

(D) The child's anticipated needs; or

(E) Other matters.

(2) Consideration of special factors. In conducting a review of the child's IEP, the IEP Team must consider the special factors described in paragraph (a)(2) of this section.

(3) Requirement with respect to regular education teacher. A regular education teacher of the child, as a member of the IEP Team, must, consistent with paragraph (a)(3) of this section, participate in the review and revision of the IEP of the child.

(c) Failure to meet transition objectives—

(1) Participating agency failure. If a participating agency, other than the public agency, fails to provide the transition services described in the IEP in accordance with Sec. 300.320(b), the public agency must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

(2) Construction. Nothing in this part relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility criteria of that agency.

(d) Children with disabilities in adult prisons—

(1) Requirements that do not apply. The following requirements do not apply to children with disabilities who are convicted as adults under State law and incarcerated in adult prisons:

(i) The requirements contained in section 612(a)(16) of the Act and Sec. 300.320(a)(6) (relating to participation of children with disabilities in general assessments).

(ii) The requirements in Sec. 300.320(b) (relating to transition planning and transition services) do not apply with respect to the children whose eligibility under Part B of the Act will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.

(2) Modifications of IEP or placement.

(i) Subject to paragraph (d)(2)(ii) of this section, the IEP Team of a
child with a disability who is convicted as an adult under State law and incarcerated in an adult prison may modify the child's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.

(ii) The requirements of Sec. Sec. 300.320 (relating to IEPs), and 300.112 (relating to LRE), do not apply with respect to the modifications described in paragraph (d)(2)(i) of this section.

34 CFR § 300.503 – Prior written notice by public agency

(a) Notice. Written notice that meets the requirements of paragraph (b) of this section must be given to the parents of a child with a disability a reasonable time before the public agency--

(1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or

(2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

(b) Content of notice. The notice required under paragraph (a) of this section must include--

(1) A description of the action proposed or refused by the agency;

(2) An explanation of why the agency proposes or refuses to take the action;

(3) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;

(4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;

(5) Sources for parents to contact to obtain assistance in understanding the provisions of this part;

(6) A description of other options that the IEP Team considered and the reasons why those options were rejected; and

(7) A description of other factors that are relevant to the agency's proposal or refusal.

(c) Notice in understandable language.

(1) The notice required under paragraph (a) of this section must be--

(i) Written in language understandable to the general public; and

(ii) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

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(2) If the native language or other mode of communication of the parent is not a written language, the public agency must take steps to ensure—

(i) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;

(ii) That the parent understands the content of the notice; and

(iii) That there is written evidence that the requirements in paragraphs (c)(2)(i) and (ii) of this section have been met.

34 CFR § 300.530 – Authority of school personnel

(a) Case-by-case determination. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a child with a disability who violates a code of student conduct.

(b) General.

(1) School personnel under this section may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under Sec. 300.536).

(2) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under paragraph (d) of this section.

(c) Additional authority. For disciplinary changes in placement that would exceed 10 consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability pursuant to paragraph (e) of this section, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities, except as provided in paragraph (d) of this section.

(d) Services.

(1) A child with a disability who is removed from the child's current placement pursuant to paragraphs (c), or (g) of this section must—

(i) Continue to receive educational services, as provided in Sec. 300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

(2) The services required by paragraph (d)(1), (d)(3), (d)(4), and (d)(5) of this section may be provided in an interim alternative educational setting.

(3) A public agency is only required to provide services during periods of removal to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed.

(4) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement under Sec. 300.536, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed, as provided in Sec. 300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

(5) If the removal is a change of placement under Sec. 300.536, the child's IEP Team determines appropriate services under paragraph (d)(1) of this section.

(e) Manifestation determination.

(1) Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP Team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine—

(i) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

(ii) If the conduct in question was the direct result of the LEA's failure to implement the IEP.

(2) The conduct must be determined to be a manifestation of the child's disability if the LEA, the parent, and relevant members of the child's IEP Team determine that a condition in either paragraph (e)(1)(i) or (1)(ii) of this section was met.

(3) If the LEA, the parent, and relevant members of the child's IEP Team determine the condition described in paragraph (e)(1)(ii) of this section was met, the LEA must take immediate steps to remedy those deficiencies.
(f) Determination that behavior was a manifestation. If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team must—

(1) Either—

(i) Conduct a functional behavioral assessment, unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or

(ii) If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and

(2) Except as provided in paragraph (g) of this section, return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

(g) Special circumstances. School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child—

(1) Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of an SEA or an LEA;

(2) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA; or

(3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA.

(h) Notification. On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the LEA must notify the parents of that decision, and provide the parents the procedural safeguards notice described in Sec. 300.504.

(i) Definitions. For purposes of this section, the following definitions apply:

(1) Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(2) Illegal drug means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
(3) Serious bodily injury has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

(4) Weapon has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

34 CFR § 300.531—Determination of setting

The child's IEP Team determines the interim alternative educational setting for services under Sec. 300.530(c), (d)(5), and (g).

34 CFR § 300.532—Appeal

(a) General. The parent of a child with a disability who disagrees with any decision regarding placement under Sec. 300.530 and 300.531, or the manifestation determination under Sec. 300.530(e), or an LEA that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or others, may appeal the decision by requesting a hearing. The hearing is requested by filing a complaint pursuant to Sec. 300.507 and 300.508(a) and (b).

(b) Authority of hearing officer.

(1) A hearing officer under Sec. 300.511 hears, and makes a determination regarding an appeal under paragraph (a) of this section.

(2) In making the determination under paragraph (b)(1) of this section, the hearing officer may--

(i) Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of Sec. 300.530 or that the child's behavior was a manifestation of the child's disability; or

(ii) Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

(3) The procedures under paragraphs (a) and (b)(1) and (2) of this section may be repeated, if the LEA believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

(c) Expedited due process hearing.

(1) Whenever a hearing is requested under paragraph (a) of this section, the parents or the LEA involved in the dispute must have an opportunity for an impartial due process hearing consistent with the requirements of Sec. 300.507 and 300.508(a) through (c) and Sec. 300.510 through 300.514, except as provided in paragraph (c)(2) through (4) of this section.
(2) The SEA or LEA is responsible for arranging the expedited due process hearing, which must occur within 20 school days of the date the complaint requesting the hearing is filed. The hearing officer must make a determination within 10 school days after the hearing.

(3) Unless the parents and LEA agree in writing to waive the resolution meeting described in paragraph (c)(3)(i) of this section, or agree to use the mediation process described in Sec. 300.506–

(i) A resolution meeting must occur within seven days of receiving notice of the due process complaint; and

(ii) The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of the receipt of the due process complaint.

(4) A State may establish different State-imposed procedural rules for expedited due process hearings conducted under this section than it has established for other due process hearings, but, except for the timelines as modified in paragraph (c)(3) of this section, the State must ensure that the requirements in Sec. 300.510 through 300.514 are met.

(5) The decisions on expedited due process hearings are appealable consistent with Sec. 300.514.

34 CFR § 300.533 – Placement during appeals

When an appeal under Sec. 300.532 has been made by either the parent or the LEA, the child must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period specified in Sec. 300.530(c) or (g), whichever occurs first, unless the parent and the SEA or LEA agree otherwise.

34 CFR § 300.534 – Protections for children not determined eligible for special education and related services

(a) General. A child who has not been determined to be eligible for special education and related services under this part and who has engaged in behavior that violated a code of student conduct, may assert any of the protections provided for in this part if the public agency had knowledge (as determined in accordance with paragraph (b) of this section) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

(b) Basis of knowledge. A public agency must be deemed to have knowledge that a child is a child with a disability if before the behavior that precipitated the disciplinary action occurred—

(1) The parent of the child expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the child, that the child is in need of special education and related services;
(2) The parent of the child requested an evaluation of the child pursuant to Sec. 300.300 through 300.311; or

(3) The teacher of the child, or other personnel of the LEA, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the agency or to other supervisory personnel of the agency.

(c) Exception. A public agency would not be deemed to have knowledge under paragraph (b) of this section if—

(1) The parent of the child—

(i) Has not allowed an evaluation of the child pursuant to Sec. Sec. 300.300 through 300.311; or

(ii) Has refused services under this part; or

(2) The child has been evaluated in accordance with Sec. 300.300 through 300.311 and determined to not be a child with a disability under this part.

(d) Conditions that apply if no basis of knowledge.

(1) If a public agency does not have knowledge that a child is a child with a disability (in accordance with paragraphs (b) and (c) of this section) prior to taking disciplinary measures against the child, the child may be subjected to the disciplinary measures applied to children without disabilities who engage in comparable behaviors consistent with paragraph (d)(2) of this section.

(2) (i) If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures under Sec. 300.530, the evaluation must be conducted in an expedited manner.

(ii) Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

(iii) If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the agency and information provided by the parents, the agency must provide special education and related services in accordance with this part, including the requirements of Sec. 300.530 through 300.536 and section 612(a)(1)(A) of the Act.

34 CFR § 300.535 — Referral to and action by law enforcement and judicial authorities

(a) Rule of construction. Nothing in this part prohibits an agency from reporting a crime committed by a child with a disability to appropriate authorities or prevents State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.
(b) Transmittal of records.

(1) An agency reporting a crime committed by a child with a disability must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.

(2) An agency reporting a crime under this section may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

34 CFR § 300.536 – Change of placement because of disciplinary removals

(a) For purposes of removals of a child with a disability from the child's current educational placement under Sec. 300.530 through 300.535, a change of placement occurs if—

(1) The removal is for more than 10 consecutive school days; or

(2) The child has been subjected to a series of removals that constitute a pattern—

(i) Because the series of removals total more than 10 school days in a school year;

(ii) Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and

(iii) Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

(b) (1) The public agency determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

(1) This determination is subject to review through due process and judicial proceedings.
HEALTH AND SAFETY CODE

**HSC § 11053 – Standards and Schedules**

The controlled substances listed or to be listed in the schedules in this chapter are included by whatever official, common, usual, chemical, or trade name designated.

**HSC § 11054 – Schedule I Controlled Substances**

(a) The controlled substances listed in this section are included in Schedule I.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of those isomers, esters, ethers, and salts is possible within the specific chemical designation:

1. Acetylmethadol.
2. Allylprodine.
3. Alphacetylmethadol (except levoalphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM).
5. Alphamethadol.
8. Betameprodine.
11. Clonitazene.
12. Dextromoramide.
15. Difenoixin.
17. Dimecphentanol.
18. Dimethylthiambutene.
19. Dioxaphethyl butyrate.
20. Dipipanone.
(22) Etonitazene.

(23) Etoxeridine.

(24) Furethidine.

(25) Hydroxypethidine.

(26) Ketobemidone.

(27) Levomoramide.

(28) Levophenacylmorphan.

(29) Morpheridine.

(30) Noracymethadol.

(31) Norlevorphanol.

(32) Normethadone.

(33) Norpipanone.

(34) Phenadoxone.

(35) Phenampromide.

(36) Phenomorphan.

(37) Phenoperidine.

(38) Piritramide.

(39) Proheptazine.

(40) Properidine.

(41) Propiram.

(42) Racemoramide.

(43) Tilidine.

(44) Trimeperidine.

(45) Any substance which contains any quantity of acetylfentanyl (N-(1-phenethyl-4-piperidinyl) acetanilide) or a derivative thereof.

(46) Any substance which contains any quantity of the thiophene analog of acetylfentanyl (N-(1-(2-thienyl)ethyl)-4-piperidinyl) acetanilide) or a derivative thereof.

(47) 1-Methyl-4-Phenyl-4-Propionoxypiperidine (MPPP).

(48) 1-(2-Phenethyl)-4-Phenyl-4-Acetyloxyxypiperidine (PEPAP).

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine.
(2) Acetyldihydrocodeine.
(3) Benzylmorphine.
(4) Codeine methylbromide.
(5) Codeine-N-Oxide.
(6) Cyprrenorphine.
(7) Desomorphine.
(8) Dihydromorphine.
(9) Drotebanol.
(10) Etorphine (except hydrochloride salt).
(11) Heroin.
(12) Hydromorphinol.
(13) Methyldesorphine.
(14) Methyldihydromorphine.
(15) Morphine methylbromide.
(16) Morphine methylsulfonate.
(17) Morphine-N-Oxide.
(18) Myrophine.
(19) Nicocodeine.
(20) Nicomorphine.
(21) Normorphine.
(22) Pholcodine.
(23) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision only, the term "isomer" includes the optical, position, and geometric isomers):

(1) 4-bromo-2,5-dimethoxy-amphetamine – Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphehethylamine; 4-bromo-2,5-DMA.

(2) 2,5-dimethoxyamphetamine – Some trade or other names: 2,5-dimethoxy-alpha-methylphenethyamine; 2,5-DMA.

(3) 4-methoxyamphetamine – Some trade or other names: 4-methoxy-alpha-methylphenethyamine, paramethoxyamphetamine, PMA.
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(4) 5-methoxy-3,4-methylenedioxy-amphetamine.

(5) 4-methyl-2,5-dimethoxy-amphetamine – Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP."

(6) 3,4-methylenedioxy amphetamine.

(7) 3,4,5-trimethoxyamphetamine.

(8) Bufotenine – Some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5 indolol; N,N-dimethylserotonin, 5-hydroxy-N,N-dimethyltryptamine; mappine.

(9) Diethyltryptamine – Some trade or other names: N,N-Diethyltryptamine; DET.

(10) Dimethyltryptamine--Some trade or other names: DMT.

(11) Ibogaine – Some trade or other names: 7-Ethyl-6,6beta, 7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido (1',2':1,2) azepino (5,4-b) indole; Tabernantheiboga.

(12) Lysergic acid diethylamide.

(13) Marijuana.

(14) Mescaline.

(15) Peyote – Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant, and every compound, manufacture, salts, derivative, mixture, or preparation of the plant, its seeds or extracts (interprets 21 U.S.C. Sec. 812(c), Schedule I(c)(12)).

(16) N-ethyl-3-piperidyl benzilate.

(17) N-methyl-3-piperidyl benzilate.

(18) Psilocybin.

(19) Psilocyn.

(20) Tetrahydrocannabinols. Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta 1 cis or trans tetrahydrocannabinol, and their optical isomers; delta 6 cis or trans tetrahydrocannabinol, and their optical isomers; delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered).
(21) Ethylamine analog of phencyclidine—Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE.

(22) Pyrrolidine analog of phencyclidine—Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCP, PHP.

(23) Thiophene analog of phencyclidine — Some trade or other names: 1-(1-(2 thienyl)-cyclohexyl)-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP.

Schedule I. Depressants

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Mecloqualone.

(2) Methaqualone.

(3) Gamma hydroxybutyric acid (also known by other names such as GHB; gamma hydroxy butyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate), including its immediate precursors, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, including, but not limited to, gammabutyrolactone, for which an application has not been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 355).

Schedule I. Stimulants

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its isomers:

(1) Cocaine base.

(2) Fenethylline, including its salts.

(3) N-Ethylamphetamine, including its salts.

HSC § 11055 – Schedule II Controlled Substances

(a) The controlled substances listed in this section are included in Schedule II.

Schedule II. Narcotics

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium, opiate, and any salt, compound, derivative, or preparation of opium or opiate, with the exception of naloxone
hydrochloride (N-allyl-14-hydroxy-nordihydromorphinone hydrochloride), but including the following:

(A) Raw opium.
(B) Opium extracts.
(C) Opium fluid extracts.
(D) Powdered opium.
(E) Granulated opium.
(F) Tincture of opium.
(G) Codeine.
(H) Ethylmorphine.
(I) Hydrocodone.
(J) Hydromorphone.
(K) Metopon.
(L) Morphine.
(M) Oxycodone.
(N) Oxymorphone.
(O) Thebaine.

(2) Any salt, compound, isomer, or derivative, whether natural or synthetic, of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine or eegonine.

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).

(6) Cocaine, except as specified in Section 11054.

(7) Ecgonine, whether natural or synthetic, or any salt, isomer, derivative, or preparation thereof.

(c) Opiates. Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of those isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(1) Alfentanyl.
(2) Alphaprodine.
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(3) Anileridine.

(4) Bezitramide.

(5) Bulk dextropropoxyphene (nondosage forms).

(6) Dihydrocodeine.

(7) Diphenoxylate.

(8) Fentanyl.

(9) Isomethadone.

(10) Levoalpachetehmethadol, also known as levo-alpha-ace analymethadol, levomethadyl acetate, or LAAM. This substance is authorized for the treatment of narcotic addicts under federal law (see Part 291 (commencing with Section 291.501) and Part 1308 (commencing with Section 1308.01) of Title 21 of the Code of Federal Regulations).

(11) Levomethorphan.

(12) Levorphanal.

(13) Metazocine.

(14) Methadone.

(15) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane.

(16) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid.

(17) Pethidine (meperidine).

(18) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.

(19) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate.

(20) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid.

(21) Phenazocine.

(22) Piminodine.

(23) Racemethorphan.

(24) Racemorphan.

(25) SufentanyI.

Schedule II. Stimulants

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.
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2. Methamphetamine, its salts, isomers, and salts of its isomers.
3. Dimethylamphetamine (N,N-dimethylamphetamine), its salts, isomers, and salts of its isomers.
4. N-Ethylmethamphetamine (N-ethyl, N-methylamphetamine), its salts, isomers, and salts of its isomers.
5. Phenmetrazine and its salts.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. Amobarbital.
2. Pentobarbital.
3. Phencyclidines, including the following:
   A. 1-(1-phenylcyclohexyl) piperidine (PCP).
   B. 1-(1-phenylcyclohexyl) morpholine (PCM).
   C. Any analog of phencyclidine which is added by the Attorney General by regulation pursuant to this paragraph.

The Attorney General, or his or her designee, may, by rule or regulation, add additional analogs of phencyclidine to those enumerated in this paragraph after notice, posting, and hearing pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The Attorney General shall, in the calendar year of the regular session of the Legislature in which the rule or regulation is adopted, submit a draft of a proposed bill to each house of the Legislature which would incorporate the analogs into this code. No rule or regulation shall remain in effect beyond January 1 after the calendar year of the regular session in which the draft of the proposed bill is submitted to each house. However, if the draft of the proposed bill is submitted during a recess of the Legislature exceeding 45 calendar days, the rule or regulation shall be effective until January 1 after the next calendar year.

4. Secobarbital.
5. Glutethimide.

(f) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

1. Immediate precursor to amphetamine and methamphetamine:
(A) Phenylacetone. Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.

(2) Immediate precursors to phencyclidine (PCP):
(A) 1-phenylcyclohexylamine.
(B) 1-piperidinocyclohexane carbonitrile (PCC).

**HSC § 11056 – Schedule III Controlled Substances**

(a) The controlled substances listed in this section are included in Schedule III.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances.

(2) Benzphetamine.

(3) Chlorphentermine.

(4) Clortermine.

(5) Mazindol.

(6) Phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing any of the following:
(A) Amobarbital
(B) Secobarbital
(C) Pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(2) Any suppository dosage form containing any of the following:
(A) Amobarbital
HSC § 11056 Continued

(B) Secobarbital

(C) Pentobarbital or any salt of any of these drugs and approved by the federal Food and Drug Administration for marketing only as a suppository.

(3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof.

(4) Chlorhexadol.

(5) Lysergic acid.

(6) Lysergic acid amide.

(7) Methyprylon.

(8) Sulfondiethylmethane.

(9) Sulfonethylmethane.

(10) Sulfonmethane.

(11) Gamma hydroxybutyric acid, and its salts, isomers and salts of isomers, contained in a drug product for which an application has been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 355).

(d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts. Additionally, oral liquid preparations of dihydrocodeinone containing the above specified amounts may not contain as its nonnarcotic ingredients two or more antihistamines in combination with each other.

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.
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(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Anabolic steroids and chorionic gonadotropin. Any material, compound, mixture, or preparation containing chorionic gonadotropin or an anabolic steroid (excluding anabolic steroid products listed in the "Table of Exempt Anabolic Steroid Products" (Section 1308.34 of Title 21 of the Code of Federal Regulations), as exempt from the federal Controlled Substances Act (Section 801 and following of Title 21 of the United States Code), including, but not limited to, the following:

(1) Androisoxazole.
(2) Androstenediol.
(3) Bolandiol.
(4) Bolasterone.
(5) Boldenone.
(6) Chlormethandienone.
(7) Clostebol.
(8) Dihydromesterone.
(9) Ethyltestrenol.
(10) Fluoxymesterone.
(11) Formyldienolone.
(12) 4-Hydroxy-19-nortestosterone.
(13) Mesterolone.
(14) Methandriol.
(15) Methandrostanolone.
(16) Methenolone.
(17) 17-Methyltestosterone.
(18) Methyltrienolone.
(19) Nandrolone.
(20) Norbolethone.
HSC § 11056 Continued

(21) Norethandrolone.
(22) Normethandrolone.
(23) Oxandrolone.
(24) Oxymestrone.
(25) Oxymetholone.
(26) Quinbolone.
(27) Stanolone.
(28) Stanozolol.
(29) Stenbolone.
(30) Testosterone.
(31) Trenbolone.
(32) Chorionic Gonadotropin (HGC).

Schedule III. Ketamine

(g) Ketamine. Any material, compound, mixture, or preparation containing ketamine.

Schedule III. Hallucinogenic substances

(h) Hallucinogenic substances. Any of the following hallucinogenic substances: dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the federal Food and Drug Administration.

HSC § 11057 – Schedule IV Controlled Substances

(a) The controlled substances listed in this section are included in Schedule IV.

(b) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

Schedule IV. Narcotics

(c) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(2) Dextropropoxyphene (alpha-(-)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

(3) Butorphanol.

Schedule IV. Depressants

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:
HSC § 11057 Continued

(1) Alprazolam.
(2) Barbital.
(3) Chloral betaine.
(4) Chloral hydrate.
(5) Chlordiazepoxide.
(6) Cloazepam.
(7) Clonazepam.
(8) Clorazepate.
(9) Diazepam.
(10) Estazolam.
(11) Ethchlorvynol.
(12) Ethinamate.
(13) Flunitrazepam.
(14) Flurazepam.
(15) Halazepam.
(16) Lorazepam.
(17) Mebutamate.
(18) Meprobamate.
(19) Methohexital.
(20) Methylphenobarbital (Mepobarbital).
(21) Midazolam.
(22) Nitrazepam.
(23) Oxazepam.
(24) Paraldehyde.
(25) Petrichoral.
(26) Phenobarbital.
(27) Prazepam.
(28) Quazepam.
(29) Temazepam.
(30) Triazolam.
(31) Zaleplon.
(32) Zolpidem.

Schedule IV. Fenfluramine

(e) Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers, whenever the existence of those salts, isomers, and salts of isomers is possible:
(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers is possible within the specific chemical designation:

(1) Diethylpropion.

(2) Mazindol.

(3) Modafinil.

(4) Phentermine.

(5) Pemoline (including organometallic complexes and chelates thereof).

(6) Pipradrol.

(7) SPA ((-)1-dimethylamino-1,2-diphenylethane).

(g) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of pentazocine, including its salts.

**HSC § 11058 – Schedule V Controlled Substances**

(a) The controlled substances listed in this section are included in Schedule V.

(b) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
HSC § 11058 Continued

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(d) Buprenorphine.
SUPPLEMENTAL CODES: CALIFORNIA CODE OF REGULATIONS

5 CCR § 352 – Detention during recess or noon intermission
A pupil shall not be required to remain in school during the intermission at noon, or during any recess.

5 CCR § 11992 – Provisions (persistently dangerous schools)
(a) A California public elementary or secondary school is “persistently dangerous” if, in each of three consecutive fiscal years, one of the following criteria has been met:

(1) For a school of fewer than 300 enrolled students, the number of incidents of firearm violations committed by non-students on school grounds during school hours or during a school-sponsored activity, plus the number of student expulsions for any of the violations delineated in subsection (b) is greater than three.

(2) For a larger school, the number of incidents of firearm violations committed by non-students on school grounds during school hours or during a school-sponsored activity, plus the number of student expulsions for any of the violations delineated in subsection (b) is greater than one per 100 enrolled students or a fraction thereof.

(b) Applicable violations include:

(1) Assault or battery upon a school employee (EC 48915(a)(1)(E));
(2) Brandishing a knife (EC 48915(c)(2));
(3) Causing serious physical injury to another person, except in self-defense (EC 48915(a)(1)(A));
(4) Hate violence (Education Code section 48900.3);
(5) Possessing, selling or furnishing a firearm (EC 48915(c)(1));
(6) Possession of an explosive (EC 48915(c)(5));
(7) Robbery or extortion (EC 48915(a)(1)(D));
(8) Selling a controlled substance (EC 48915(c)(3)); and
(9) Sexual assault or sexual battery (EC 48915(c)(4)).

(c) In instances where a student committed a violation enumerated in subsection (b) for which expulsion proceedings would have been instituted, but is no longer a student and therefore cannot be expelled, that violation must be reported in the total number of incidents and expulsions referenced in subsection (a).
5 CCR § 11993 – Definitions (persistently dangerous schools)

(a) “Assault” means an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another (PC 240).

(b) “Battery” means any willful and unlawful use of force or violence upon the person of another (PC 242).

(c) “Controlled substance” means all controlled substances listed in chapter 2 of division 10 of the Health and Safety Code (commencing with section 11053).

(d) “Firearm” means handgun, rifle, shotgun or other type of firearm (18 USC 921(a)(3)).

(e) “Firearm violation” means unlawfully bringing or possessing a firearm, as defined in subsection (d), on school grounds or during a school-sponsored activity.

(f) “Explosive” means a destructive device (18 USC 921(a)(4)).

(g) “Expulsion” means an expulsion ordered by the local educational agency's governing board regardless of whether it is suspended, modified, or stipulated.

(h) “Extortion” means acts described in Penal Code sections 71, 518, and 519.

(i) “Fiscal year” means the period of July 1 through June 30 (EC 37200).

(j) “Hate violence” means any act punishable under Penal Code section 422.6.

(k) An “incident” of a firearm violation by non-student(s) for the purpose of section 11992 is an event on school grounds during school hours, or at a school-sponsored activity, involving a person or persons not enrolled in the school who unlawfully brings or possesses a handgun, rifle, shotgun, or other type of firearm. An event shall be counted as a single incident when it happens at the same time in the same location, regardless of the number of non-students involved. School site administrators or designees are responsible for documenting the incident and reporting the incident to the local educational agency (LEA) staff who are responsible for collecting expulsion data.

(l) “Knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(m) “Non-student” means a person, regardless of age, not enrolled in the school or program reporting the violation.
(n) "On school grounds" means the immediate area surrounding the school including, but not limited to, the school building, the gymnasium, athletic fields, and the site parking lots.

(o) "Robbery" means acts described in Penal Code sections 211 and 212.

(p) A "school sponsored activity" means any event on the grounds of the school district supervised by district staff at which students are present, including transportation to and from school.

(q) "Serious physical injury" means serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (this is the same definition as described in "serious bodily injury" in Penal Code section 243(f)(4)).

(r) "Sexual assault" means acts defined in Penal Code sections 261, 266(c), 286, 288a, 288(a-c), and 289.

(s) "Sexual battery" means acts defined in Penal Code section 243.4.

(t) "Enrolled students", for the purpose of subsections 11992(a)(1) and 11992(a)(2), means students included in the most current California Basic Educational Data System (CBEDS) report for the school.

(u) "During school hours" means from thirty minutes before the initial school bell to thirty minutes after the closing school bell.

5 CCR § 11994 — Data collection (persistently dangerous schools)

Local educational agencies (LEAs) will submit to the California Department of Education (CDE) the number of incidents of non-student firearm violations and student expulsions specified in section 11992 above for determining persistently dangerous schools. The CDE will use the information collected to determine if a school site meets the criteria in this subchapter. If an LEA contests the CDE's determination that one or more of its schools is persistently dangerous, the LEA may appeal that determination to the State Board of Education based on incorrect data or circumstances that caused the school to be identified as persistently dangerous, but actually increased student and teacher safety at the school.
SUPPLEMENTAL CODES: UNITED STATES CODE

18 USC § 921 – Definitions (in part)

(a) As used in this chapter— …

(3) The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

(4) The term “destructive device” means—

(A) any explosive, incendiary, or poison gas—

(i) bomb,

(ii) grenade,

(iii) rocket having a propellant charge of more than four ounces,

(iv) missile having an explosive or incendiary charge of more than one-quarter ounce,

(v) mine, or

(vi) device similar to any of the devices described in the preceding clauses;

(B) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled. The term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

(5) The term “shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.
6 The term “short-barreled shotgun” means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.

7 The term “rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.

8 The term “short-barreled rifle” means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches...

16 The term “antique firearm” means—

A any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or

B any replica of any firearm described in subparagraph (A) if such replica—

i is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

ii uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or

C any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

17 (A) The term “ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm...

25 The term “school zone” means—

A in, or on the grounds of, a public, parochial or private school; or

B within a distance of 1,000 feet from the grounds of a public, parochial or private school.

26 The term “school” means a school which provides elementary or secondary education, as determined under State law...
20 USC § 7151 – Gun-Free Requirements

(a) Short title
This subpart may be cited as the "Gun-Free Schools Act".

(b) Requirements
(1) In general
Each State receiving Federal funds under any subchapter of this chapter shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, under the jurisdiction of local educational agencies in that State, except that such State law shall allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing.

(2) Construction
Nothing in this subpart shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting.

(3) Definition
For the purpose of this section, the term "firearm" has the same meaning given such term in section 921(a) of title 18.

(c) Special rule
The provisions of this section shall be construed in a manner with the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.].

(d) Report to State
Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under any subchapter of this chapter shall provide to the State, in the application requesting such assistance—

(1) an assurance that such local educational agency is in compliance with the State law required by subsection (b) of this section; and

(2) a description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b) of this section, including—

(A) the name of the school concerned;
(B) the number of students expelled from such school; and
(C) the type of firearms concerned.

(e) Reporting
Each State shall report the information described in subsection (d) of this section to the Secretary on an annual basis.

(f) Definition

For the purpose of subsection (d) of this section, the term "school" means any setting that is under the control and supervision of the local educational agency for the purpose of student activities approved and authorized by the local educational agency.

(g) Exception

Nothing in this section shall apply to a firearm that is lawfully stored inside a locked vehicle on school property, or if it is for activities approved and authorized by the local educational agency and the local educational agency adopts appropriate safeguards to ensure student safety.

(h) Policy regarding criminal justice system referral

(1) In general

No funds shall be made available under any subchapter of this chapter to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.

(2) Definition

For the purpose of this subsection, the term “school” has the same meaning given to such term by section 921(a) of title 18.
SUPPLEMENTAL CODES: CALIFORNIA EDUCATION CODE

EC § 212.5 – Sexual harassment

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

(a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.

(b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

(c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

(d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

EC § 233 – State Board of Education policies and guidelines

(a) At the request of the Superintendent of Public Instruction, the State Board of Education shall do all of the following as long as the board's actions do not result in a state mandate or an increase in costs to a state or local program:

(1) Adopt policies directed toward creating a school environment in kindergarten and grades 1 to 12, inclusive, that is free from discriminatory attitudes and practices and acts of hate violence.

(2) Revise, as needed, and in accordance with the State Board of Education's adopted Schedule for Curriculum Framework Development and Adoption of Instructional Materials developed pursuant to Section 60200, the state curriculum frameworks and guidelines and the moral and civic education curricula to include human relations education, with the aim of fostering an appreciation of the diversity of California's population and discouraging the development of discriminatory attitudes and practices.

(3) Establish guidelines for use in teacher and administrator inservice training programs to promote an appreciation of diversity and to discourage the development of discriminatory attitudes and practices that prevent pupils from achieving their full potential.

(4) Establish guidelines for use in teacher and administrator inservice training programs designed to enable teachers and administrators to prevent and respond to acts of hate violence occurring on their school campuses.
(5) Establish guidelines designed to raise the awareness and sensitivity of teachers, administrators, and school employees to potentially prejudicial and discriminatory behavior and to encourage the participation of these groups in these programs.

(6) Develop guidelines relating to the development of nondiscriminatory instructional and counseling methods.

(7) Revise any appropriate guidelines previously adopted by the board to include procedures for preventing and responding to acts of hate violence.

(b) The State Department of Education, in accordance with policies established by the State Board of Education for purposes of this subdivision, shall do all of the following:

(1) Prepare guidelines for the design and implementation of local programs and instructional curricula that promote understanding, awareness, and appreciation of the contributions of people with diverse backgrounds and of harmonious relations in a diverse society. The guidelines shall include methods of evaluating the programs and curricula and suggested procedures to ensure coordination of the programs and curricula with appropriate local public and private agencies.

(2) Provide grants, from funds appropriated for that purpose, to school districts and county offices of education to develop programs and curricula consistent with the guidelines developed in paragraph (1).

(3) To the extent possible, provide advice and direct services, consistent with the guidelines developed in paragraph (1), to school districts and county offices of education that implement the programs and curricula developed in paragraph (2).

(e) The State Board of Education shall carry out this section only if private funds, in an amount sufficient to pay for related State Department of Education staff activities on behalf of the board, are made available.

(d) Nothing in this section shall be construed to require the governing board of a school district to offer any ethnic studies or human relations courses in the district.

(e) As used in this section, "hate violence" means any act punishable under Section 422.6, 422.7, or 422.75 of the Penal Code.

EC § 234.1 – Monitoring, review, and assessment of antidiscrimination, anti-harassment, anti-intimidation, and antibullying requirements (Safe Place to Learn Act – AB 9)

The department, pursuant to subdivision (b) of Section 64001, shall monitor adherence to the requirements of Chapter 5.3 (commencing with Section 4900) of Division 1 of Title 5 of the California Code of
Regulations and Chapter 2 (commencing with Section 200) as part of its regular monitoring and review of local educational agencies, commonly known as the Categorical Program Monitoring process. The department shall assess whether local educational agencies have done all of the following:

(a) Adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics set forth in Section 422.55 of the Penal Code and Section 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. The policy shall include a statement that the policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district.

(b) Adopted a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the actual or perceived characteristics set forth in Section 422.55 of the Penal Code and Section 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. The complaint process shall include, but not be limited to, all of the following:

(3) A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so.

(4) A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the school district.

(5) An appeal process afforded to the complainant should he or she disagree with the resolution of a complaint filed pursuant to this section.

(6) All forms developed pursuant to this process shall be translated pursuant to Section 48985.

(c) Publicized antidiscrimination, antiharassment, anti-intimidation, and antibullying policies adopted pursuant to subdivision (a), including information about the manner in which to file a complaint, to pupils, parents, employees, agents of the governing board, and the general public. The information shall be translated pursuant to Section 48985.

(d) Posted the policy established pursuant to subdivision (a) in all schools and offices, including staff lounges and pupil government meeting rooms.

(e) Maintained documentation of complaints and their resolution for a minimum of one review cycle.
(f) Ensured that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential, as appropriate.

(g) Identified a responsible local educational agency officer for ensuring school district or county office of education compliance with the requirements of Chapter 5.3 (commencing with Section 4900) of Division 1 of Title 5 of the California Code of Regulations and Chapter 2 (commencing with Section 200).

EC § 32282 – Comprehensive school safety plans; contents; disaster procedures; development

(c) The comprehensive school safety plan shall include, but not be limited to, both of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A district or county office may work with the California Emergency Management Agency and the Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.
EC § 32282 continued

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The district or county office shall cooperate with the public agency in furnishing and maintaining the services as the district or county office may deem necessary to meet the needs of the community.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. Any schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291 and 35291.5.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed by the School/Law Enforcement
EC § 32282 continued

Partnership Program entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Grants to assist schools in implementing their comprehensive school safety plan shall be made available through the partnership as authorized by Section 32285.

(d) Each schoolsite council or school safety planning committee in developing and updating a comprehensive school safety plan shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(e) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(f) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(g) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval under subdivision (a) of Section 32288.

EC 35291.5 – Rules and procedures on school discipline; adoption enforcement; notice; filing; review

(a) On or before December 1, 1987, and at least every four years thereafter, each public school may, at its discretion, adopt rules and procedures on school discipline applicable to the school. For schools that choose to adopt rules pursuant to this article, the school discipline rules and procedures shall be consistent with any applicable policies adopted by the governing board and state statutes governing school discipline. In developing these rules and procedures, each school shall solicit the participation, views, and advice of one representative selected by each of the following groups:

1. Parents.
2. Teachers.
3. School administrators.
4. School security personnel, if any.
5. For junior high schools and high schools, pupils enrolled in the school.

Meetings for the development of the rules and procedures should be developed and held within the school's existing resources, during nonclassroom hours, and on normal schooldays.
The final version of the rules and procedures on school discipline with attendant regulations may be adopted by a panel comprised of the principal of the school, or his or her designee, and a representative selected by classroom teachers employed at the school.

It shall be the duty of each employee of the school to enforce the rules and procedures on school discipline adopted under this section.

(b) The governing board of each school district may prescribe procedures to provide written notice to continuing pupils at the beginning of each school year and to transfer pupils at the time of their enrollment in the school and to their parents or guardians regarding the school discipline rules and procedures adopted pursuant to subdivision (a).

(c) Each school may file a copy of its school discipline rules and procedures with the district superintendent of schools and governing board on or before January 1, 1988.

(d) The governing board may review, at an open meeting, the approved school discipline rules and procedures for consistency with governing board policy and state statutes.

EC § 44014 – Report of assault or threats by pupil against school employee; offense; fines

(a) Whenever any employee of a school district or of the office of a county superintendent of schools is attacked, assaulted, or physically threatened by any pupil, it shall be the duty of the employee, and the duty of any person under whose direction or supervision the employee is employed in the public school system who has knowledge of the incident, to promptly report the incident to the appropriate law enforcement authorities of the county or city in which the incident occurred. Failure to make the report shall be an infraction punishable by a fine of not more than one thousand dollars ($1,000).

(b) Compliance with school district governing board procedures relating to the reporting of, or facilitation of reporting of, the incidents specified in subdivision (a) shall not exempt a person under a duty to make the report prescribed by subdivision (a) from making the report.

(c) A member of the governing board of a school district, a county superintendent of schools, or an employee of any school district or the office of any county superintendent of schools, shall not directly or indirectly inhibit or impede the making of the report prescribed by subdivision (a) by a person under a duty to make the report. An act to inhibit or impede the making of a report shall be an infraction, and shall be punishable by a fine of not less than five hundred dollars ($500) and not more than one thousand dollars ($1,000).
(d) Neither the governing board of a school district, a member of the
governing board, a county superintendent of schools, nor an
employee of a school district or of the office of any county
superintendent of schools shall impose any sanctions against a person
under a duty to make the report prescribed by subdivision (a) for
making the report.

EC § 44807 – Duty concerning conduct of pupils

Every teacher in the public schools shall hold pupils to a strict
account for their conduct on the way to and from school, on the
playgrounds, or during recess. A teacher, vice principal, principal, or
any other certificated employee of a school district, shall not be
subject to criminal prosecution or criminal penalties for the exercise,
during the performance of his duties, of the same degree of physical
control over a pupil that a parent would be legally privileged to
exercise but which in no event shall exceed the amount of physical
control reasonably necessary to maintain order, protect property, or
protect the health and safety of pupils, or to maintain proper and
appropriate conditions conducive to learning. The provisions of this
section are in addition to and do not supersede the provisions of
Section 49000.

EC § 44807.5 – Recess restrictions

The governing board of a school district may adopt reasonable rules
and regulations to authorize a teacher to restrict for disciplinary
purposes the time a pupil under his or her supervision is allowed for
recess.

EC § 48432.5 – Involuntary transfer of pupils; rules and
regulation; procedure

The governing board of each high school or unified school district
which assigns pupils to continuation schools shall adopt rules and
regulations governing procedures for the involuntary transfer of
pupils to continuation schools.

Such rules and regulations shall provide that written notice be given
to the pupil and the pupil's parent or guardian informing them of the
opportunity to request a meeting with a designee of the district
superintendent prior to the transfer.

At the meeting, the pupil or the pupil's parent or guardian shall be
informed of the specific facts and reasons for the proposed transfer
and shall have the opportunity to inspect all documents relied upon,
question any evidence and witnesses presented and present evidence
on the pupil's behalf. The pupil may designate one or more
representatives and witnesses to be present with him or her at the
meeting.

A decision to transfer the pupil involuntarily shall be based on a
finding that the pupil (a) committed an act enumerated in Section
EC § 48432.5 continued 48900, or (b) has been habitually truant or irregular in attendance from instruction upon which he or she is lawfully required to attend.

The decision to transfer shall be in writing, stating the facts and reasons for the decision, and sent to the pupil and the pupil's parent or guardian. It shall indicate whether the decision is subject to periodic review and the procedure therefor.

None of the persons involved in the final decision to make an involuntary transfer of a pupil to a continuation school shall be a member of the staff of the school in which the pupil is enrolled at the time that the decision is made.

A pupil, with the concurrence of a designee of the district superintendent, may transfer voluntarily to a continuation school in order to receive special attention such as individualized instruction.

Involuntary transfer to a continuation school shall be imposed only when other means fail to bring about pupil improvement; provided that a pupil may be involuntarily transferred the first time he or she commits an act enumerated in Section 48900 if the principal determines that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester during which the acts leading directly to the involuntary transfer occurred unless the local governing board adopts a procedure for yearly review of the involuntary transfer conducted pursuant to this section at the request of the pupil or the pupil's parent or guardian.

A pupil who has voluntarily transferred to a continuation school shall have the right to return to the regular high school at the beginning of the following school year and with the consent of a designee of the district superintendent, may return at any time.

EC § 48645.5 – Acceptance of coursework; enrollment and readmission

(a) Each public school district and county office of education shall accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. The coursework shall be transferred by means of the standard state transcript. If a pupil completes the graduation requirements of his or her school district of residence while being detained, the school district of residence shall issue to the pupil a diploma from the school the pupil last attended before detention or, in the alternative, the county superintendent of schools may issue the diploma.

(b) A pupil shall not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system, including, but not limited to:
(1) Arrest.
(2) Adjudication by a juvenile court.
(3) Formal or informal supervision by a probation officer.
(4) Detention for any length of time in a juvenile facility or enrollment in a juvenile court school.

EC § 48853.5 — Foster youth liaison (in part)

(a) This section applies to a foster child. “Foster child” means a child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code, is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, or has been removed from his or her home and is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code.

(b) Each local educational agency shall designate a staff person as the educational liaison for foster children. In a school district that operates a foster children services program pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3, the educational liaison shall be affiliated with the local foster children services program. The educational liaison shall do all of the following:

(1) Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.

(2) Assist foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records, and grades.

(c) If so designated by the superintendent of the local educational agency, the educational liaison shall notify a foster child’s attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if the decision to recommend expulsion is a discretionary act, pending proceedings to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act, and, if the foster child is an individual with exceptional needs, pending manifestation determinations pursuant to Section 1415(k) of Title 20 of the United States Code if the local educational agency has proposed a change in placement due to an act for which the decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools.

(d) This section does not grant authority to the educational liaison that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible adult appointed by the court to represent the child pursuant to Section 361 or 726 of the Welfare and Institutions Code, a surrogate parent, or a foster parent exercising the authority granted under Section 48914.
EC § 48853.5 continued

56055. The role of the educational liaison is advisory with respect to placement decisions and determination of school of origin...

EC § 49070 – Challenging content of records

Following an inspection and review of a pupil's records, the parent or guardian of a pupil or former pupil of a school district may challenge the content of any pupil record.

(a) The parent or guardian of a pupil may file a written request with the superintendent of the district to correct or remove any information recorded in the written records concerning his or her child which the parent or guardian alleges to be any of the following:

(1) Inaccurate.
(2) An unsubstantiated personal conclusion or inference.
(3) A conclusion or inference outside of the observer's area of competence.
(4) Not based on the personal observation of a named person with the time and place of the observation noted.
(5) Misleading.
(6) In violation of the privacy or other rights of the pupil.

(b) Within 30 days of receipt of a request pursuant to subdivision (a), the superintendent or the superintendent's designee shall meet with the parent or guardian and the certificated employee who recorded the information in question, if any, and if the employee is presently employed by the school district. The superintendent shall then sustain or deny the allegations.

If the superintendent sustains any or all of the allegations, he or she shall order the correction or the removal and destruction of the information. However, in accordance with Section 49066, the superintendent shall not order a pupil's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

If the superintendent denies any or all of the allegations and refuses to order the correction or the removal of the information, the parent or guardian may, within 30 days of the refusal, appeal the decision in writing to the governing board of the school district.

(c) Within 30 days of receipt of an appeal pursuant to subdivision (b), the governing board shall, in closed session with the parent or guardian and the certificated employee who recorded the information in question, if any, and if the employee is presently employed by the school district, determine whether or not to sustain or deny the allegations.
If the governing board sustains any or all of the allegations, it shall order the superintendent to immediately correct or remove and destroy the information from the written records of the pupil, and so inform the parent or guardian in writing. However, in accordance with Section 49066, the governing board shall not order a pupil's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

The decision of the governing board shall be final.

Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the governing board, unless the parent or guardian initiates legal proceedings relative to the disputed information within the prescribed period.

(d) If the final decision of the governing board is unfavorable to the parent or guardian, or if the parent or guardian accepts an unfavorable decision by the district superintendent, the parent or guardian shall be informed and shall have the right to submit a written statement of his or her objections to the information. This statement shall become a part of the pupil's school record until the information objected to is corrected or removed.

EC § 49079 – Notice to teachers of pupils who in the prior three school years engaged in acts that are grounds for suspension or expulsion

(a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

(b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.

(c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by
EC § 49079 continued confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars ($1,000), or both.

(d) For the 1994-95 school year, the information provided shall be from the previous two school years. For the 1996-97 school year and each school year thereafter, the information provided shall be from the previous three school years.

(e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.
SUPPLEMENTAL CODES: GOVERNMENT CODE, LABOR CODE & WELFARE
AND INSTITUTIONS CODE

GC § 27724 – Qualifications of hearing officer, deputy or assistant
hearing officer

Any county hearing officer, or any deputy or assistant hearing officer,
appointed pursuant to this chapter, shall be an attorney at law having
been admitted to practice before the courts of this state for at least
five years prior to his or her appointment.

LC § 230.8 – Discharge of or discrimination against employee for
taking time off to visit child’s school or day care facility

(a) (1) No employer who employs 25 or more employees working at
the same location shall discharge or in any way discriminate against
an employee who is a parent, guardian, or grandparent having
custody, of one or more children in kindergarten or grades 1 to 12,
inclusive, or attending a licensed child day care facility, for taking off
up to 40 hours each year, not exceeding eight hours in any calendar
month of the year, to participate in activities of the school or licensed
child day care facility of any of his or her children, if the employee,
prior to taking the time off, gives reasonable notice to the employer
of the planned absence of the employee.

(2) If both parents of a child are employed by the same employer at
the same worksite, the entitlement under paragraph (1) of a planned
absence as to that child applies, at any one time, only to the parent
who first gives notice to the employer, such that the other parent may
take a planned absence simultaneously as to that same child under the
conditions described in paragraph (1) only if he or she obtains the
employer's approval for the requested time off.

(b) (1) The employee shall utilize existing vacation, personal leave,
or compensatory time off for purposes of the planned absence
authorized by this section, unless otherwise provided by a collective
bargaining agreement entered into before January 1, 1995, and in
effect on that date. An employee also may utilize time off without
pay for this purpose, to the extent made available by his or her
employer. The entitlement of any employee under this section shall
not be diminished by any collective bargaining agreement term or
condition that is agreed to on or after January 1, 1995.

(2) Notwithstanding paragraph (1), in the event that all permanent,
full-time employees of an employer are accorded vacation during the
same period of time in the calendar year, an employee of that
employer may not utilize that accrued vacation benefit at any other
time for purposes of the planned absence authorized by this section.

(c) The employee, if requested by the employer, shall provide
documentation from the school or licensed child day care facility as
proof that he or she participated in school or licensed child day care
facility activities on a specific date and at a particular time. For
purposes of this subdivision, “documentation” means whatever

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written verification of parental participation the school or licensed child day care facility deems appropriate and reasonable.

(d) Any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in terms and conditions of employment by his or her employer because the employee has taken time off to participate in school or licensed child day care facility activities as described in this section shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer. Any employer who willfully refuses to rehire, promote, or otherwise restore an employee or former employee who has been determined to be eligible for rehiring or promotion by a grievance procedure, arbitration, or hearing authorized by law shall be subject to a civil penalty in an amount equal to three times the amount of the employee's lost wages and work benefits.

WIC § 729.6 – Counseling

If a minor is found to be a person described in Section 602 by reason of the commission of an offense described in Section 241.2 or 243.2 of the Penal Code, the court shall, in addition to any other fine, sentence, or as a condition of probation, order the minor to attend counseling at the expense of the minor's parents. The court shall take into consideration the ability of the minor's parents consistent with Section 730.7 to pay, however, no minor shall be relieved of attending counseling because of the minor's parents' inability to pay for the counseling imposed by this section.
ILLEGAL EXPLOSIVE DEVICES

M-60
Average Size: 5/8" diameter, 1-1/2" long.
Average Load: 12 oz. explosive mixture.
Risk Factor: Damage to fingers, hands and eyes.

M-100 Silver Salute
Average Size: 1" diameter, 2-1/2" long.
Average Load: 33 oz. explosive mixture.
Risk Factor: Severe damage to face, arms and body.

M-250
Average Size: 1" diameter, 3" long.
Average Load: 48 oz. explosive mixture.
Risk Factor: Severe crippling, disfiguring injuries.

M-1000, Quarter Stick
Average Size: 1" diameter, 6" long.
Average Load: 97 oz. explosive mixture.
Risk Factor: Extremely severe injuries to body; has caused death.

Illegal Explosive Devices Are Not Fireworks.
Colors and Sizes May Vary.
Educator's Guide to Custody, Residency and Enrollment

Prepared by:

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Division of Student Support Services
Los Angeles County Office of Education

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Special thanks to:

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Vicente P. Bravo, Consultant II
Cynthia Nuñez, Administrative Assistant
Ana Cerón, Secretary—Bilingual Spanish
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Part I

Quick Guides to Custody, Residency and Enrollment
DEFINITIONS AND TYPES OF CUSTODY

Public policy in California is to encourage parents to share the rights and responsibilities of raising a minor, except where the contact would not be in the best interest of the minor.

Legal vs. Physical Custody

- *Legal custody* – right and responsibility to make decisions relating to the health, education, and welfare of a minor (a.k.a. educational rights)
- *Physical custody* – where the minor lives, eats, and sleeps

Joint vs. Sole Custody

- *Joint legal custody* – both parents have educational rights [FC 3003]
  - Schools can reach out to either parent when a decision is required
  - Schools can assume that separated or divorced parents share custody
  - There may be some custody orders where the court clearly specifies the circumstances under which consent of both parents is required when making a decision [FC 3083]
- *Joint physical custody* – the minor may reside with both parents [FC 3004]
  - Both parents may receive the minor upon release from school
  - Schools may need to have two emergency cards, one for each parent depending on the custody order
  - Residence should be determined by which parent has the greater amount of physical custody during the school day
- *Sole legal custody* – only one parent holds educational rights (see page 3 for information on the rights of non-custodial parents) [FC 3006]
- *Sole physical custody* – the minor resides with only one parent [FC 3007]
  - Only the parent awarded physical custody may receive the minor upon release from school
  - Schools should note any visitation rights of the other parent specified in the order; however, staff should discourage the use of the school site as a place for fulfillment of visitation rights because of the potential disruption to the educational program
 RIGHTS OF NON-CUSTODIAL PARENTS UNDER FERPA
Frequently Asked Questions

1. *Does the FERPA require a school to keep a parent informed of the child’s progress even though the parent is divorced and living some distance from the child?*

   No. The FERPA does not require schools to inform parents of student progress whether the parents are divorced or not.

2. *Does the non-custodial parent have the right to be informed of and to attend teacher conferences?*

   The FERPA does not address conferences for the purpose of discussing student performance. Thus, a school has no obligation under this law to arrange a conference to accommodate the non-custodial parent. However, if records of conferences are maintained, the non-custodial parent has the right to see those records.

3. *Must the school notify the non-custodial parent of his/her FERPA rights?*

   No. The school would be considered in compliance with the law if it notifies only the parent who has custody of the child.

4. *Must the school provide the non-custodial parent the same general notices it provides the custodial parent?*

   No. General notices, lunch menus, PTA information, announcement of teacher conferences, school pictures, and other similar information, are not “education records” as defined by the FERPA. Therefore, schools are not legally required to provide them.

5. *Is the school required to honor a parent’s “standing request” for access or copies?*

   No. The FERPA does not require a school to honor a standing request, but the school may do so if it wishes. If parents wish to obtain information from their child’s records on a regular basis, they should submit requests periodically. The school must respond to each request within 45 days.

6. *How can a non-custodial parent get access to records?*

   Any parent may ask the school for the opportunity to review records, either by going to where the records are kept or by requesting copies. The school may ask the parent for some identification.

7. *Can the parent with custody prevent the non-custodial parent from exercising his or her FERPA rights?*

   No. FERPA rights are given to both parents. The school may assume that a parent has these rights unless it has evidence to the contrary. The school does not need the permission of the custodial parent to give access to the non-custodial parent.
CUSTODY ISSUES AND CONCERNS

Limitations on parent rights

EC 51101 enumerates a parent bill of rights. Rights include observing the classroom, meeting with a child’s teacher or teachers and the principal, and volunteering at school. Subparagraph 51101(d) limits those rights when they conflict with a valid restraining order, protective order, or order for custody or visitation.

Enforcement of custody orders

A school is not responsible for enforcing a custody order, nor may a school knowingly violate a custody order. Law enforcement may be contacted to interpret and enforce the custody order.

Disputes between parents over rights in school matters

A parent who requests that a school limit the rights of the other parent in school matters, should produce evidence of the legal action curtailing such rights. Once produced, the document should be shared between parents to confirm that it is the current, applicable order. If no documents can be produced, suggest to both parents to have the matter worked out with the assistance of the court.

Unmarried parents

Parents who have never been married may not have custody arrangements approved by the court. In those cases, the school should assume both parents have equal rights and need to make decisions jointly. The school may also honor any arrangements reached between the parents without the involvement of the court.

If there is disagreement between the parents, schools should avoid taking sides but may defer to the parent who enrolled the minor, while informing both parents that they need to work out their concerns between themselves or with the assistance of the court.

When the minor turns 18

The parent’s rights terminate when a minor turns 18, becomes emancipated, or begins attending postsecondary education. However, a parent would still have the right to inquire how the student is doing if the parent claims the student as a dependent on their federal income taxes.
LEGAL GUARDIAN

Understanding legal guardianship

Legal guardianship is granted through a court process whereby a person other than the parent is given custody of a minor.

- Legal guardianship may be established where the natural parents are deceased, incarcerated, or are incapable of caring for the minor, e.g., they are coping with substance abuse, have a serious physical or mental illness, are in the military and have to go overseas, or are imprisoned.

- There are no special qualifications for a person to become a legal guardian of a minor. Relatives, friends of the family, or other interested persons may be considered as potential guardians. The court will look at what is in the best interest of the child.

- A legal guardian is authorized to make decisions for a minor that a parent would normally make.

- Appointment of a legal guardian suspends parents’ custody of the minor.

Process to become a legal guardian [ProbC 1510-1517]

Appointment of a legal guardian requires the filing of a petition and approval by the court. The procedures necessary to establish legal guardianship are as follows:

- The proposed guardian completes a petition and files it with the Superior Court in the county where he/she lives;

- If the guardian is not a close relative, the Department of Social Services will investigate to see if the guardianship is in the minor’s best interest;

- The court will then hold a hearing, where the judge will evaluate the reasons why the parents cannot care for the minor and will decide if the guardianship is in the best interest of the minor;

- If the judge approves, the court will enter a legal finding appointing the guardian as petitioned.

Duration of legal guardianship

- Legal guardianship lasts until the minor turns 18, gets married, becomes legally emancipated, is adopted, or dies. [ProbC 1600]

- A guardianship can also be ended by a court if a minor over the age of 12, the legal guardian, or someone else asks for it to be ended, and the judge finds that the guardianship is no longer in the minor’s best interest. [ProbC 1601]
TEMPORARY CUSTODY

Temporary custody by an adult other than the parent or legal guardian

A minor may reside with persons other than the natural parents or legal guardians for many reasons. This may be short term, e.g., the parents are taking a vacation, or long term, e.g., the parents are traveling on extended business. If the parents are gone for a short period of time, and can be contacted in case of emergencies, the problems created for school staff are minimal.

For longer periods of time, schools may ask parents to provide a written agreement to show who is responsible for care of the minor. It is recommended that the written agreement indicate the following:

- The name of the person and his/her relationship to the family.
- If the person has the authority to act on behalf of the parents in school-related matters without the school having to obtain further consent from the parents. The more specific the better.
- If the person has the authority to make decisions for the minor on behalf of the parent in case of an accident of illness.
- The approximate duration of the temporary custody.

The written agreements need not be notarized by the parents. The agreement may be revoked by the parents at any time.

Temporary custody by peace officers [WIC 305 and 625]

The following are instances when parental consent or a warrant is not required for a peace officer to take temporary custody of the minor:

- Arrest or assume temporary custody of a truant
- Interview of suspects or witnesses to crime who are minors, while such minors are at school
- Concerns of abuse and neglect
- Suspicion of harm to the minor
- Suspicion of criminal conduct
- Minor found on the street or public place who requires care, medical treatment, hospitalization, or other remedial care
- Minor who is a ward of the juvenile court

Temporary custody by social workers [WIC 306]

The following are instances when parental consent or a warrant is not required for a social worker to take temporary custody of the minor:

- Minor who has been delivered by a peace officer
- Interview of victims of abuse and neglect
- Suspicion of harm to the minor
- Minor who is a ward of the juvenile court
Release to peace officers or social workers

Schools have a ‘locus parentis’ responsibility. 5 CCR 303 provides that a pupil may not leave the school premises at recess, or at any other time before the regular hour for closing school, except in case of emergency, or with the approval of the principal of the school. School officials who release minors to peace officers or social workers are not civilly liable, if they act with the proper standard of care.

The California Attorney General has held that schools should ascertain the following before releasing control of a student:

(1) The identity and official capacity of the person seeking access to, or custody of, the student,

(2) The authority under which he or she acts, and

(3) In the case of the release of the pupil to a peace officer, the reason for such action.

It is important that the school maintain a record of the circumstances involved. Included in the record, in addition to the information listed above, should be the date and time of the arrest or removal, the social worker’s or officer’s name and badge number.

Notification of parent or legal guardian [EC 48906]

When a peace officer removes a minor from the school premise, the school must take immediate steps to notify the parent or legal guardian of the minor regarding the release and regarding the place to which the minor is reportedly being taken.

The exception is when a minor has been taken into custody as a victim of suspected child abuse. In that case, provide the peace officer with the contact information of the minor’s parent or legal guardian so that he/she may provide the notification.

Additionally, pursuant to WIC 307.4, any peace officer, probation officer, or social worker who takes a minor into temporary custody under WIC 305 to 307 must inform the parent, legal guardian, or responsible relative, through the most efficient means available, that the minor has been taken into protective custody.

Ultimately, school districts should have standard policies and procedures regarding the handling of requests by peace officers and social workers to interview or remove minors from school during school hours.

Emergency medical treatment

Parents should be required to provide emergency contact information in order to facilitate communication in the event of an accident or illness. The school should have procedures to ensure that first aid or medical attention is provided as quickly as possible when student accidents and injuries occur and that parents are notified as appropriate.

When emergency medical problems arise and parents are not available, designated school personnel should get the minor to the doctor or hospital as soon as possible.
POWER OF ATTORNEY

Understanding power of attorney

A Power of Attorney is a written authorization by a parent/legal guardian that another adult may act as the parent’s/legal guardian’s “agent” in all matters authorized by the written document. In particular, the Power of Attorney can authorize another adult to act on behalf of the parent/legal guardian in matters relating to the health, education and welfare of the child. It can be utilized to handle general everyday needs or be limited to specific functions. [ProbC 4460]

Some related facts:

- Granting a Power of Attorney does not alter the rights of the parent/legal guardian with respect to custody and control of the child.
- Powers of Attorney are not filed with the court; the only time one is filed with a government agency is when it is used in a real estate transaction.
- The agent may not represent the parent/legal guardian in court.

Duration of the power of attorney

- The parent/legal guardian can specify an expiration date
- Revoked or altered at any time by the parent/legal guardian
- The parent/legal guardian dies, is disabled or incapacitated
- The agent becomes incapacitated or unavailable

Requirements for a legally sufficient power of attorney

- Name, address and signature of the parent/legal guardian and the agent
- List of specific powers granted to the agent
- Date of execution (effective date)
- Statement regarding possible duration or statement about revocations
- Notary and/or signature of two adult witnesses (the agent cannot sign as a witness)

Suggestions

District personnel should obtain a copy of the picture ID’s of the following parties: the parent(s)/legal guardian(s), the agent, and the two adult witnesses. The copy of the ID’s should be attached with the Power of Attorney along with a copy of the student’s birth certificate or other proof of birth document.
CAREGIVER

Form of alternative residency [FC 6550]

Many adults, e.g., grandparents, aunts and uncles, other relatives, or family friends, have taken a minor into their home when the natural parent(s) is unable or unwilling to care for the minor. Caregiver was established to allow such an adult to enroll the minor in school. As such, caregiver is a residency concern.

- The caregiver’s residence where the minor lives determines the district and school of residence. [EC 48204 (a)(4)]
- There is no obligation to inquire into the caregiver arrangement unless it becomes apparent that it is fraudulent. In that case, a school district may dispute caregiver in the way it disputes any residency concern.
- The caregiver must sign an affidavit under penalty of perjury. Fraudulent representations may be subject to prosecution; schools should check with their local city attorney or district attorney.
- The affidavit need not be renewed annually but the caregiver must notify the school when the minor is no longer living in the home. The affidavit is invalid after the school receives such notice.
- The affidavit should be in substantially the same form as provided in FC 6552.

Relative vs. non-relative caregiver

Relative. Includes a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix grand or great, or the spouse of any of the persons specified, even after the marriage has been terminated by death or dissolution.

Non-relative. When the caregiver is not a relative of the minor or a currently licensed foster parent, the law may require the caregiver to obtain a foster home license in order to care for a minor. Whether a foster home license is required varies county by county. Child protective services in the county in which the school district is located should be consulted.

Authority of caregiver

A caregiver is not a legal guardian nor does a caregiver have to become one. Under the Family Code, use of a caregiver affidavit does not affect the rights of the minor’s parents or legal guardians regarding the care, custody, and control of the minor.

Beginning on January 1, 2014, as amended by Assembly Bill 1068 (Ch. 713, Statutes of 2013), a caregiver will have access to pupil records without written parental consent or under judicial order if the individual completes the first four sections of the Caregiver’s Authorization Affidavit and signs the affidavit for the purpose of enrolling the pupil in school. [EC 49076 (a)(1)(M)]
If the parents or legal guardians are known to the school, the school would have to work with them on school matters in determining the following:

- The mailing address to where all school and district notices are to be mailed.
- Primary contact person for telephone notifications *e.g.* school events, reminders, attendance, discipline.
- The ability to make decisions on behalf of the parent or legal guardian, if the parent or legal guardian is unavailable or unwilling to care for the minor.
RESIDENCY

Determining residency

A minor’s school and school district of residence may be established by the following:

- Residence of the parent or legal guardian.
  - In California, a person may have only one primary residence. A change of primary
    residence occurs by the union of act and intent.
  - A minor’s residence is determined by the parent with whom the minor lives.
  - Parents with residences in more than one district must enroll in the district where their
    primary residence is located and should not be able to choose between districts.
  - If the parents share physical custody, then the parent with greater physical custody should
    determine residency.

- Location of the foster home where the minor lives.

- Residence of the emancipated minor.

- Admittance of the minor into a state hospital located within the district boundaries.

- Residence of the caregiver with whom the minor lives.

- The location of the parent’s or legal guardian’s employer, if the governing board chooses to
  become the school district of residence for compulsory education for minors whose parents
  work within the district boundaries.

Caution: Having dual residency does not mean students can enroll in two schools. Compulsory
education requires full time enrollment; students cannot be enrolled full time in two districts.

Legal references: GC 244, EC 48200 and 48204

Residences that straddle more than one school district

In Katz v. Los Gatos-Saratoga Joint Union High School District (2004) the court determined the
school district of residence for compulsory education when the parent owned a property with a
single family home that straddled two school districts. Most of the property was within one
school district but 26 percent of the property and 3 percent of the home were in the other school
district.

The court rejected the argument offered by the school district that only had 26 percent of the
property that a residence must lie entirely or mostly within the district boundary. The court held
that residency for school attendance is established when any part of the property is located in a
school district boundary.
**Residency verification** [EC 48204.1]

School districts are required to accept a wide range of documents or representations as reasonable evidence to establish residency. Reasonable evidence of residency includes, but is not limited to, any of the following documentation:

- Property tax payment receipts
- Rental property contract, lease, or payment receipts
- Utility service contract, statement, or payment receipts
- Pay stubs
- Voter registration
- Correspondence from a government agency
- Declaration of residency executed by the parent or legal guardian, or executed by an unaccompanied youth

It is within the discretion of district officials to develop reasonable procedures for the annual verification of each student’s residence within the district.

**Residency disputes**

When information comes to the attention of staff indicating that the parent or legal guardian has provided false or unreliable evidence of residency, the district may make reasonable efforts to determine that the minor actually resides within the district.

The Education Code does not address the resolution of disputes regarding residency. There is no provision for appeal to a County Office of Education or Superintendent of Schools. If such disputes are common, adoption of school district policy and procedure is recommended.

**Neighborhood school attendance zones**

School districts, as a general rule, have the power to establish neighborhood school attendance zones within the district to determine the area that a particular school shall serve. The attendance zones are subject to constitutional guarantees of equal protection and due process.

A California court has upheld the practice of assigning late registering students to schools other than neighborhood school or to provide independent study as an alternative when space is not available in the neighborhood school.

The common terminology used to identify to which school district and neighborhood school the student belongs are **district of residence** and **school of residence**.
OTHER METHODS OF ENROLLMENT

Parent Employment Residency (AKA Allen Bill) [EC 48204(b)]

Depending on the school district, a student may meet residency requirements for school attendance in a school district (that is not the district of residence) where one or both parents/legal guardians of the student are employed. In such cases, the district’s board policy would specify the following criteria:

- The parent/legal guardian is an employee of the school district, and/or physically works at an establishment located within the district boundaries (districts can choose one or both options)
- The parent/legal guardian must be physically employed within the boundaries for a minimum of 10 hours during the school week

The receiving district may not refuse admission on the basis of race, ethnicity, sex, parental income, academic achievement, or any other arbitrary consideration. However, the receiving district may deny admission if the district determines that the additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.

The district of residence does not have to approve the release. Once enrolled and the parent/legal guardian remains physically employed within district, the student does not have to reapply and the district must allow the student to attend through the highest grade in that district.

Intradistrict Open Enrollment [EC 35160.5(b); 20 USC 7912]

School districts must have a policy allowing residents an opportunity to choose to attend any available schools within the district regardless of the location of residence within the district. Available space must be determined each Spring, and parents/legal guardians should be notified of the deadline to file a request for transfer at the beginning of each school year for the following school year.

When there are more applicants than there are available spaces, the district must use a random, unbiased selection process, but must follow its established list of priorities specified in the board policy. Enrollment priorities can be established as follows where a student may be given the option to transfer to another school:

- If a district school receiving Title I funds is identified for program improvement, corrective action, or restructuring
- If while on school grounds the student becomes the victim of a violent criminal offense
- If the student attends a school designated by the California Department of Education as "persistently dangerous"
- If the student has siblings already in attendance
- If the student’s parent/legal guardian works at the school

Once enrolled, the student does not have to reapply, but may be returned to the school of residence if there is no longer space available.
No student currently residing within a school's attendance area can be displaced by another student transferring from outside the attendance area. However, note that students who register late into the school year can be assigned to schools other than the school of residence when space is not available in the school of residence.

Open enrollment is not applicable to districts with only one school, or districts with schools that do not serve any of the same grade levels.

**Intradistrict Attendance**

Once the open enrollment period has ended, districts may allow students to apply for an intradistrict permit. The permit allows the student to transfer to another school that is not the school of residence but still within the district boundaries. Districts should establish policies that specify if and when an intradistrict permit needs to be renewed and the criteria by which a permit can be revoked.

**No Child Left Behind [20 USC 6316(b)(1)(E); 34 CFR 200.44]**

Schools identified for school improvement, corrective action, or restructuring must provide all students enrolled with the option to transfer to another school within the district. Priority is given to the lowest-achieving students from low-income families, but the district cannot deny any requests based on lack of capacity. Once a student transfers to another school, the student is permitted to remain there until he/she has completed the highest grade in the school.

If all the schools to which the student could transfer are identified for school improvement, corrective action, or restructuring, the district must, to the extent practicable, establish a cooperative agreement for a transfer with one or more of the other districts in the area, and may offer supplemental educational services to eligible students in schools in their first year of school improvement.

**Interdistrict Attendance [EC 46600 et seq.]**

A student’s parent/legal guardian can seek to obtain a release from the district of residence to attend a school in another school district. Districts release and accept interdistrict attendance permits based on the criteria established in their individual board policies. Interdistrict permits should be renewed when a student changes schools, and can be revoked for reasons based on criteria such as, but not limited to, space availability, academics, attendance, and/or discipline. Students entering the 11th and 12th grades may not have their permits revoked/rescinded for any reason.

Applying for interdistrict attendance is a two-step process. A student must first be released from the district of residence. If the student is released from the district of residence, then the desired district of attendance needs to consider whether or not it will accept the student.

**Timeline**

Although districts can establish their own timelines through board policy to process requests and any applicable appeals, the law states the following:

- For a future term request – meaning, the application is for the student to be released by the district of residence for the following school year – the district has until 14 days into the start of the school year requested to provide the parent/legal guardian with the final decision.
However, this only applies if the request was submitted 30 calendar days from the start of the new school year. (For example, if the new school year begins on September 1, any request for transfer submitted before August 1 must be processed and acted upon by the district by September 14.)

- For a **current term request** – meaning, the application is for the student to be released by the district of residence for the current school year – the district has up to 30 calendar days from the day the request was received to provide the parent/legal guardian with the final decision. An application is considered as a current term request if submitted beginning 30 calendar days before the start of the school year. (For example, if the new school year begins on September 1, any request for transfer submitted on or after August 1 must be processed and acted upon by the district within 30 calendar days from the day the request was received.

**Right to Appeal the District’s Final Decision**

Upon receiving a final denial letter from the district, whether it is the district of residence denying the request to transfer out of the district or it is the desired district that does not accept the student into its district, the denying district is obligated to inform the parent/guardian of the right to appeal to the County Office of Education that has jurisdiction over the denying district.

Note: Appeal applications to the Los Angeles County Office of Education (LACOE) must be physically received within 30 days from the date on the final denial letter (not the date when the letter was received by the parent/legal guardian). More information on interdistrict permit appeals for school districts within the Los Angeles County can be found on the LACOE website at [www.lacoed.edu/appeals](http://www.lacoed.edu/appeals).

**School District of Choice [EC 48300 et seq.]**

The governing board of a school district may elect to pass a resolution to operate as a school district of choice (DOC) for the purpose of accepting a specific number of interdistrict transfers without a separate interdistrict agreement. As such, a student’s district of residence has little to say regarding an interdistrict transfer to a DOC.

A DOC must adopt policies and procedures for accepting and denying transfer requests. Acceptance of a transfer must be conducted through a random, unbiased process, and may not be based on a student’s academic or athletic performance. Denial of a transfer may not be based upon a determination that the additional cost of educating the pupil would exceed the amount of additional state aid received as a result of the transfer. However, a transfer can be denied if it would require the creation of a new program at a school site or in the district, with the exception of a program that would serve special needs and English learner students. The exception ensures that students who are special education, bilingual, English learner, and other special needs students are not discriminated by the DOC because of the costs associated with educating these students. Students attempting to enroll in a specialized program or school in the DOC must still meet all entrance criteria established for admission into the specialized program or school.

Parents must go directly to the desired school or school district of attendance for the application and information regarding timelines and process.
Open Enrollment Act (Romero) [EC 48352-48361; 5 CCR 4700-4703]

Each year, the California Department of Education (CDE) establishes a list of 1,000 "low achieving" schools based upon a formula that references the Academic Performance Index (API). Excluded from the list are charter schools, court, community and community day schools, schools that are not of a district of residence, and schools with less than 100 state test scores. No district will have more than 10% of its schools on the list.

The intent of the Open Enrollment Act is to provide parents options for student attendance. The parents of students at one of the 1,000 Open Enrollment schools identified for the following school year have the option to request transfer to another school with a higher API score within the district or outside of the district. Once enrolled by the school of choice, the student may remain until the highest grade served by that school without the need to reapply. Transportation is not provided.

The Open Enrollment Act allows districts to adopt specific, written standards for acceptance and rejection of applications so long as students who are selected are done so through a random, unbiased process. A district may take into account capacity of a program, class, grade level, school building, or adverse financial impact in determining if and what number of Open Enrollment requests it can approve. Parents must go directly to the desired school or school district of attendance for the application and information regarding timelines and process. At the time of submission, the student must be attending the school that is on the list even though the transfer will not occur until the following school year, if approved.

School of Origin [42 USC 11432; EC 48853.5]

Homeless Children and Youth

School of origin is defined as the last school attended when permanently housed or the school in which the student was last enrolled. The student may remain at the school of origin for the duration of homelessness, but does not have the right to matriculate to a school serving the next grade levels if the school is not within the student's district of residence. Once the student is permanently housed, he/she may remain at the school of origin until the end of the school year.

Foster Children and Youth

School of origin is defined as the last school attended when permanently housed or the school in which the student was last enrolled. The school of origin may be any school the student attended within the last 15 months. If the jurisdiction of the court is terminated before the end of the school year, a K-8 student may remain at the school of origin until the end of that school year; for a student in grades 9-12, he/she may continue at the school of origin through graduation. A foster child may matriculate to a school serving the next grade levels even if the school is not within the student's district of residence.

Note: For student athletes, school officials and parents should review the constitution, bylaws and rulings of the California Interscholastic Federation (CIF) prior to transferring the students between schools. Certain types of transfers may result in a student becoming ineligible to participate in CIF sports. To access the most recent CIF Constitution & Bylaws, please visit the following website: http://cifstate.org/index.php/governance
## METHODS OF ENROLLMENT CHART

<table>
<thead>
<tr>
<th>Transfer Option</th>
<th>Notification Requirement</th>
<th>Response Required</th>
<th>Priority</th>
<th>Enrollment Period</th>
</tr>
</thead>
</table>
| Parent Employment Residency/Allen Bill*  
EC 48204(b)    | None                                                                                     | Student enrolls as a resident of the district as per board policy                                           | N/A                                                                                                 | Until the parent ceases to be physically employed within district boundaries for a minimum of 10 hours/week |
| Intradistrict Open Enrollment  
EC 35160.5(b)  | Notification to parents at the beginning of the first semester or quarter of the regular school term | Per district board policy                                                                                   | May consider findings of harmful or dangerous circumstances; siblings of students already in attendance; student whose parent/legal guardian works at the school | Until the student is transferred per board policy or ceases to live within the district boundaries       |
| No Child Left Behind – Program Improvement*  
20 USC 6316(b)(1)(E)  
34 CFR 200.44   | Notification to parents no later than the first day of the school year following the year for which the school has been identified for improvement | Per district board policy                                                                                   | Shall give priority to the lowest achieving students from low-income families                        | Completion of the highest grade of the school even if school of origin is no longer under program improvement |
| Interdistrict Permit  
EC 46600        | Notification to parents at the beginning of the first semester or quarter of the regular school term | Future term request submitted 30 days prior to the start of the school year: 14 days after the first day of school  
Current term request, beginning from the 30th day prior to the start of the school year: 30 days upon receipt | Shall give priority to a student who has been determined by personnel of either the resident or receiving district to have been a victim of bullying committed by another student if requested by parent or legal guardian | Unless otherwise agreed upon by the district of residence and the district of enrollment, once a permit is granted, reapplication is not required and permits may be revoked per district board policy (11th/12th grade exceptions) |
| District of Choice*  
EC 48301        | Notification to parents at the beginning of the first semester or quarter of the regular school term | 90 days upon receipt of the application, but no later than May 15th                                         | Shall give priority to siblings of students already in attendance; may give priority to children of military personnel | Until the district withdraws from participation in this program; for high school students, until they graduate |
| Open Enrollment (Romero)  
EC 48352-48361  
5 CCR 4700-4703 | Notification to parents within 14 calendar days after the Open Enrollment list is posted on the CDE’s website | 60 days upon receipt of the application                                                                     | Shall give priority to residents first, then to siblings of students already in attendance, and last to students transferring from decile 1 schools | Completion of the highest grade of the school even if school of origin is no longer identified as one of the 1,000 schools |

*Note: The options marked with an asterisk (*) may not be applicable to all districts.*
ENROLLMENT

Kindergarten and first grade [EC 48000 and 48010]

Beginning in the 2012-2013 school year, in order to be admitted into school at the beginning of the school year, a minor must turn five years old (for kindergarten) or six years old (for first time in first grade) by November 1st. For the 2013-2014, the November 1st date is changed to October 1st, and then to September 1st for the 2014-2015 school year and each year thereafter.

On a case-by-case basis, a school may allow for early admission of a minor into kindergarten. The minor may not enroll at the beginning of the school year, but must wait until he/she turns five years of age. The school district is required to provide information to the parent or guardian regarding the advantages and disadvantages and any other explanatory information about the effect of the early admittance.

Transitional kindergarten and two-year kindergarten program

Parents and guardians are not required to enroll minors in a kindergarten or TK program as compulsory education does not begin until a minor turns six years of age.

A transitional kindergarten (TK) program must be available for minors who do not meet the minimum age of admission by the established date. TK is essentially a two-year kindergarten program without the need for parents to sign a kindergarten continuance form.

Admission to high school [5 CCR 201]

Students entering high school should have graduated from the eighth grade; however, a student may also enroll in high school when there is an agreement that the student would benefit from instruction. This standard may be used when considering the enrollment of students from foreign countries who may already have a high school diploma. Their transcripts should be reviewed to determine whether they have essentially met the requirements for graduation set by the school district.

Limitation to enrollment [EC 48231]

Students between the ages of 12 and 18, who have come from another state, within ten school days before the end of the school year, are exempt for the remainder of that school year.

Undocumented students

Proposition 187, passed by California voters attempted the exclusion of undocumented students from public schools. The proposition was held in abeyance by the courts.

Under Plyler v. Doe (1982), the United States Supreme Court held that a minor alien, regardless of their legal status within the country, is subject to nation’s laws and is entitled to their protection. Schools are prohibited at any time from requiring students or their parents to disclose and/or document their immigration status. Schools are also under no legal obligation to enforce the federal immigration laws.
Missing children

It has been estimated that more than half a million children are kidnapped every year. Many are kidnapped by one of their parents in defiance of court orders. Schools are encouraged to check missing children bulletins when enrolling minors.

Immunizations and health screening

School-age children must be immunized against polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, hepatitis B, and varicella prior to enrollment. A student may obtain an exemption for immunizations due to medical reasons or personal beliefs. However, if the student is exposed to a communicable disease (preventable by immunization), he or she may be excluded from school until the public health department determines the student is no longer at risk of developing the disease.

There are some situations in which students may be conditionally enrolled. Students who lack one or more required immunization doses that are not currently due at the time of enrollment, may be admitted on condition that they receive the remaining doses when due. In addition, homeless and foster students may be enrolled conditionally without documentation of complete immunization requirements for up to 30 school days and should be assisted in obtaining the documentation or receiving the required immunizations.

All students entering first grade are required to submit a “Report of Health Examination for School Entry” form or waiver. By district policy, schools may require this form before kindergarten enrollment.

All students in their first year in public school – whether they begin in transitional kindergarten, kindergarten or first grade – are required to have an “Oral Health Assessment” (dental checkup) form or waiver on file by May 31st of that year.

Emergency cards [EC 49408]

An emergency card is an important document for school offices. It provides contact information in times of emergency and informs staff on who is authorized to take custody of a student off school grounds.

If both parents have legal custody, then both may exercise parental rights, and either parent may be called in times of emergency. If both parents have physical custody, then both may exercise custodial rights, and either parent may come and take the minor or designate others who may take the minor.

Custody orders may qualify legal custody and limit specific parental rights relating to medical treatment or educational decisions. It may also define when a parent can act alone or must act in concert with the other parent. Limitations on physical custody are commonly specified too, e.g., defining the days upon which each parent has physical custody. For these reasons custody arrangements should be noted on, or attached to, the emergency card.

Separated or divorced parents often argue about the content of an emergency card or access to the card. In practice, the emergency card should be completed by the custodial, enrolling parent. If a non-custodial parent insists, a secondary emergency card may be completed by them. In no case should one parent amend another parent’s information without the consent of the other parent.
Victims of Domestic Violence, Safe at Home Program [GC 6205-6207]

The California Secretary of State may provide victims of sexual assault, domestic violence or stalking with a substitute address to use in place of their residence, work, or school address in all public records.

The Secretary receives any mail sent to the substitute address and forwards it to the program participant's confidential address. The school must use the address designated by the Secretary.

An August 27, 1999, letter from the Secretary clarifies that the substitute address should be used for all communication and correspondence with program participants. The participant will present a laminated identification card containing the substitute address and a four-digit authorization number. The school may verify enrollment by contacting the Safe At Home program.

Program participants have been advised by the Secretary to provide schools with their actual residence location only for school emergency purposes and to establish residency for enrollment.
FOSTER YOUTH

Thousands of minors in California schools live in out-of-home placements that are supervised by a child protective services agency or the department of probation. These minors live in foster homes, group homes, or with relative caretakers as the result of abuse, neglect, or because of their involvement in the juvenile justice system.

Schools are to be notified by the child protective services agency when a minor is placed in a foster home in the district boundary. Each school district must designate a foster youth liaison to identify and assist in offering placement and services to foster youth.

Rights of foster youth custodians

In educating foster youth, schools will encounter foster parents, social workers, probation officers, and the natural parents and legal guardians. Public policy in California is to have the natural parent or legal guardian involved in the minor’s life, if practicable. Schools may assume the natural parent has educational rights.

A foster parent does not have educational rights unless the minor has been placed in a planned permanent living arrangement and the court has limited the right of the parent or guardian to make educational decisions.

Schools should review placement orders carefully to determine how the court has addressed parental rights. Assignment of a surrogate or removal of parental rights should be evident in the order. Questions about an order may be referred to the court that issued the order or the child protective services agency.

School enrollment

Child protective services should notify the school of the minor’s placement in a foster home within seven days of a suitable placement order. The youth’s movement should include the DCFS form 1399. The foster child has the right to placement in least restrictive educational program, access to academic resources, services, extracurricular and enrichment activities that are available to all students. Placement should be in the best interest of the minor and should occur even if the student does not have all records required for enrollment.

Foster youth are exempt from the residency requirements applicable to other students and may remain in their original school even if moved to a foster home outside of the school district boundary.

The initial school is assumed to be the best placement; however, placement determinations should be individualized and student-centered. School staff should consider the age of the student, the distance of the commute and the impact it may have on the student’s education, personal safety issues, the student’s need for special instruction, the length of anticipated stays in temporary shelters or other temporary locations, the likely area of future housing, school placement of siblings, and the time remaining in the school year.

If the foster parent/parent challenges the placement offered by the school, the minor shall remain in the initial school until the challenge is resolved.
HOMELESS YOUTH

A homeless school-age minor is one that lacks a fixed, regular, and adequate nighttime residence. Common themes to be found in the definition of homelessness include, lack of appropriate accommodations, non-permanency, by reason of economic hardship or necessity. Once identified, the student has the right to immediate enrollment and comparable services.

Foster youth living in emergency or transitional shelters or awaiting foster care placement will likely also be considered homeless and subject to the protections afforded by the McKinney Vento Homeless Assistance Act.

Immediate enrollment

Homeless students must be immediately enrolled in school regardless of lack of academic records, immunizations, or other relevant records. Enrollment means enrolled and have full and equal opportunity to succeed in the academic program. If records are lacking, school personnel will help locate and request records. This should not delay or preclude a homeless student from attending school. Delaying enrollment violates federal law.

School placement

Homeless students should be placed in a school that serves their best interest. The presumed best interest placement is the school of origin. School districts may rebut this assumption. If placement is not at school of origin, the school must provide a written explanation why and notification of appeal rights.

Placement determinations should be individualized and student-centered. Schools may consider the age of the student, the distance of the commute and the impact it may have on the student’s education, personal safety issues, the student’s need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

The law imposes an affirmative obligation to transport homeless students, even if transportation is not provided to other students.

School districts should adopt policy to address enrollment dispute resolution including timeline by which a decision should be made by the district liaison, the process to be used, and whether the liaison’s decision may be appealed. The CDE recommends districts allow parents or guardians to provide either written or oral documentation to support their position.

Homeless educational liaisons

The school district should expressly identify the district liaison for homeless students in policy or regulation, including their title and contact information. The liaison should act in a custodial role for homeless youth.

Examples of activities the liaison could perform include assisting homeless children in enrolling in school and accessing school activities; obtaining immunization or medical records; informing parents or guardians, school personnel, and others of the rights of homeless children; working with school staff to make sure that homeless children are immediately enrolled in school pending resolution of disputes; and helping to coordinate transportation services.
PUPIL FEES

Students enrolled in public school shall not be required to pay any fee, deposit, or other charge not specifically authorized by law. A pupil fee includes, but is not limited to:

1. A fee charged as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

2. A security deposit, or other payment, required of the student to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment.

3. A purchase required of the student to obtain materials, supplies, equipment, or uniforms associated with an educational activity (curricular or extracurricular).

Examples of fees not allowable that are related to student enrollment:

- Fees to process an interdistrict transfer request
- Fees to notarize forms and letters as a condition of enrollment (i.e. Caregiver’s Affidavit or any other affidavits)
- Charges to uniforms for physical education classes
- Charges for textbooks and workbooks
- Charges for necessary supplies required for regular classroom work in particular subjects (i.e. art material for art classes, wood for carpentry classes, instruments for music classes)
- Membership fees in a student body or any student organization as a condition to enroll or participate in curricular or extracurricular activities, including athletics, that are sponsored by the school
- Graduation caps and gowns

Legal references: EC 49010-49013; 5 CCR 350
NAME CHANGE

For all first admissions and at kindergarten or first grade, a child should be enrolled under the name appearing on documentary proof of age acceptable for admission to school. School transfer records will establish the name for registration and placement purposes at other grade levels.

Parent/Student request

A parent may request that a child be known by a name differing from that on the legal verification of birth. For example, foreign students may wish to use and be known by an "Americanized" name, or transgender students may wish to use and be known by a name and gender reflective of their gender identity or gender expression. Schools are required to maintain a mandatory permanent student record that includes a student’s legal name and legal gender. Local policy may permit the name/gender preferred by the parent/student to be used in certain school records through prescribed procedures, particularly, procedures in entering the preferred name/gender and the legal name/gender in the student information system and practices in maintaining any confidential information related to the name/gender change. Care should be given to avoid frequent or frivolous change as this becomes part of the pupil permanent record.

Legal name change in California

A minor’s name may be legally changed by filing an action in the Superior Court where the petitioner resides. For an order of name change to be granted, the court must find sufficient reasons for the change and also find it consistent with the public interest. Once the Order Granting Change of Name is signed, the new name can be assumed.

Schools are not required, and it is not recommended, to make retroactive changes in the student’s records. There should be clear cross-referencing of the student’s records under the original name in the cumulative file and the student information system.

The petitioner may keep the proceedings regarding the minor’s name change confidential only if he/she is a participant in the state’s address confidentiality program and asserts a qualifying reason for confidentiality in the petition. Qualifying reasons include avoiding domestic violence, avoiding stalking or because the petitioner or the minor is a victim of sexual assault.

The minor does not have to agree to the name change, but the court may consider the wishes of a minor old enough to express his/her thoughts.

Legal references: EC 48002, CCP 1275-1278.5
Part II

Sample Forms and Notifications
Parents may try to use the school as a forum for disputing custody matters. If needed, the school district may consider including the following form in their annual notification to parents and legal guardians. The form was developed by the Culver City Unified School District.

PARENT DISPUTE OVER CUSTODY IN SCHOOL

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to their child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student’s welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene.

Parents are asked to make every attempt not to involve school sites in custody matters.

The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

I have read and understand the above statement.

______________________________  _________________________
Parent Signature                        Date

______________________________  _________________________
Parent Signature                        Date
DISPUTAS DE CUSTODIA EN LA ESCUELA

Las disputas de custodia tendrán que ser atendidas por medio de las cortes. La escuela no tiene ninguna jurisdicción legal de negar a un padre biológico acceso a su niño(a) y/o registros escolares. La única excepción es cuando existen órdenes de restricción o documentos de divorcio, específicamente indicando limitaciones de visitas, que estén archivadas en la oficina de la escuela. Cualquier situación de entrega del estudiante que ponga en peligro el bienestar del estudiante será atendida a la discreción del administrador o su designado. Si este tipo de situación altera la escuela, se solicitará la intervención de la policía.

Se les pide a los padres que hagan todo lo posible de no involucrar a la escuela en asuntos de custodia.

La escuela hará todo lo posible para comunicarse con el padre que tiene custodia cuando un padre o cualquier otra persona que no está anotada en la tarjeta de emergencia trate de recoger un niño(a).

Yo he leído y entiendo lo antes mencionado.

__________________________________________
Firma del Padre

__________________________________________
Fecha

__________________________________________
Firma del Padre

__________________________________________
Fecha
Parents should be advised that it is wise to have something in writing which will give authority to the caretaker to make decisions for the minor on behalf of the parents in case of an accident or illness, imprisonment, or long-term travel.

ADDITIONAL AUTHORIZATIONS FOR CARETAKER

I, (we) ______________________ and ______________________
(Name of parent/legal guardian) (Name of parent/legal guardian)

do hereby state that I am (we are) the natural parent(s) or legal guardian(s) of

__________________________, a minor, age ______, born on ____________________
(Child’s name)

I (we) authorize ______________________, and/or ______________________
(Name of caretaker) (Name of caretaker)

to act on my (our) behalf in the following school matters: (Check all that apply)

☐ Signing absence verifications
☐ Authorizing participation in extracurricular or co-curricular activities, including fieldtrips
☐ Acknowledging notifications
☐ Consenting to counseling services
☐ Consenting release of pupil records to a third party
☐ Participating in meetings requested by school officials related to, but not limited to, academic, attendance and/or disciplinary issues
☐ Submitting appeals (i.e. enrollment, permits, discipline, etc.)
☐ Other ______________________

Effective date: ____________________ Expiration date: ____________________

Parent Signature

Date

Signature of the Authorized Custodial Parent

Date

Witness Printed Name & Signature

Date

Witness Printed Name & Signature

Date
AUTORIZACIONES ADICIONALES PARA UN ADULTO CUIDANDO AL ESTUDIANTE

Yo, (nosotros) _____________________________ y _____________________________
(Nombre del padre/tutor legal) (Nombre del padre/tutor legal)

declaro (declaramos) que soy (somos) el (los) padre(s) biológico(s) o tutor(es) legal(es) de

_____________________________________, un menor con edad de _____, nacido el ____________.
(Nombre del niño/a)

Yo (nosotros) autorizo (autorizamos) a ___________________________________, y/o ___________________________________,
(Nombre del proveedor de cuidado) (Nombre del proveedor de cuidado)

para actuar en mi (nuestro) nombre en los siguientes asuntos escolares: (Marque todas las que correspondan)

☐ Firmar verificaciones de ausencia
☐ Autorizar la participación en actividades extracurriculares o co-curriculares, incluyendo paseos/excursiones
☐ Reconocimiento de notificaciones
☐ Consentimiento a servicios de consejería
☐ Consentimiento de liberar los registros escolares a una tercera persona
☐ Participar en reuniones a petición del personal escolar relacionado pero no limitado a los asuntos académicos, de asistencia y/o disciplinarios
☐ Presentar una apelación (i.e. inscripción, permisos, disciplina, etc.)
☐ Otro _______________________________________________________________

Fecha efectiva: ___________________________ Fecha de vencimiento: ___________________________

_________________________________________ Fecha
Firma del padre

_________________________________________ Fecha
Firma del cuidador autorizado

_________________________________________ Fecha
Nombre y firma del testigo

_________________________________________ Fecha
Nombre y firma del testigo

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POWER OF ATTORNEY

I, (we) ____________________________ and ____________________________,
residing at ____________________________ in the County of Los Angeles, State of California, hereby appoint ____________________________,
who resides at ____________________________ in the County of Los Angeles, State of California, as my attorney-in-fact to act as my agent in any and all matters relating to the health, education and welfare of my child ____________________________,
born ____________________________.

In that capacity, ____________________________ ("attorney-in-fact") shall have the rights relative to my child’s education that a parent has under Title 20 (commencing with Section 1400) of the United States Code, Part 300 of Title 34 (commencing with Section 300.1) of the Code of Federal Regulations, and Part 30 (commencing with Section 56000) of the California Education Code. My attorney-in-fact may represent my child in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the individualized education program, and in all other matters relating to the provision of a free appropriate public education of my child. This representation shall include the provision of written consent to the individualized education program including nonemergency medical services, mental health treatment services, occupational or physical therapy services and other related services. My attorney-in-fact may sign any consent relating to the individualized education program purposes.

My attorney-in-fact shall have the rights in other matters relating to the education of my child, including the execution of all consents and approvals which must be provided by a parent(s) or guardian(s) under applicable California law, including, but not limited to, provisions of the California Education Code, the California Code of Regulations, and the policies, regulations, procedures, and practices of the ____________________________ School District.

My attorney-in-fact shall perform all other acts necessary to be done in regard to such powers, as amply and fully to all intents and purposes as I could do if personally present.

The rights, powers and authority of my attorney-in-fact to exercise any and all of the rights herein granted shall commence and be in full force and effect on ________________, 20____, and shall remain in full force and effect until this power of attorney is revoked by written notice.

Parent Signature ____________________________ Date ________________

Adult Witness #1 Signature ____________________________ Date ________________

Adult Witness #2 Signature ____________________________ Date ________________
CARTA PODER

Yo, (nosotros) __________________________________________ y __________________________________________,

vivimos en __________________________________________________________ en el

Condado de Los Ángeles, estado de California, nombre (nombramos) a ______________________________,

quien vive en __________________________________________________________ en el

Condado de Los Ángeles, estado de California, como mi apoderado para actuar como mi agente en

este y todos los asuntos relacionados con la salud, educación y bienestar de mi hijo(a)

__________________________________________, nacido(a) en ____________________________.

En esta capacidad, __________________________________________ (“mi apoderado”) tendrá los derechos
relacionados a la educación de mi hijo(a) que un padre tiene bajo el Título 20 (comenzando con la
sección 1400) del Código de Los Estados Unidos, Parte 300 del Título 34 (comenzando con la
sección 300.1) del Código de Regulaciones Federales, y Parte 30 (comenzando con la sección 56000) del
Código de Educación de California. Mi apoderado puede representar a mi hijo(a) en asuntos
relacionados con su identificación, evaluación, plan de instrucción y desarrollo, colocación
educacional, repaso y revisión del programa de educación individualizada, y en todos los otros
asuntos relacionados al suministro de una educación pública, gratis y apropiada para mi hijo(a). Esta
representación deberá incluir la provisión del consentimiento por escrito para el programa de
educación individualizada que incluye servicios médicos de no emergencia, servicios de tratamiento
de salud mental, servicios de terapia física y ocupacional y otros servicios relacionados. Mi
apoderado puede firmar cualquier consentimiento relacionado a los propósitos del programa de
educación individualizada.

Mi apoderado tendrá el derecho a otros asuntos relacionados con la educación de mi hijo(a),
incluyendo el llevar a cabo todos los consentimientos y aprobaciones al que tiene derecho un padre
(s) o tutor (es) bajo la ley que se aplica en el estado de California, incluyendo, pero no limitado a, la
ejecución del Código de Educación de California, el Código de Regulaciones de California, y las
políticas, regulaciones, procedimientos, y prácticas del Distrito Escolar de ____________________________.

Mi apoderado deberá actuar en todos los otros aspectos necesarios para tal poder, tan ampliamente y
completamente para todos los propósitos e intenciones como yo lo haría de estar presente.

Los derechos, poderes y autoridad de mi apoderado para ejercer cualquier y todos los derechos
concedidos tomarán efecto el día ____________________________ , 20______,
y se mantendrán vigente hasta que este poder sea revocado por escrito.

Firma del padre ____________________________ Fecha ____________________________

Firma del testigo adulto #1 ____________________________ Fecha ____________________________

Firma del testigo adulto #2 ____________________________ Fecha ____________________________
A form such as the following may be acceptable authorization for treatment by doctors or hospitals:

**AUTHORIZATION TO CONSENT TO MEDICAL TREATMENT FOR MINOR CHILD**

I, (we) __________________________________ and _________________________________________
(Name of parent/legal guardian) (Name of parent/legal guardian)

do hereby state that I am (we are) the natural parent(s) or legal guardian(s) of

____________________________________, a minor, age _____, born on ____________________.
(Child’s name)

I (we) authorize __________________________________ and/or __________________________________
(Name of caretaker) (Name of caretaker)

to consent to medical treatment and hospital care to be rendered to the minor under the general or special supervision and on the advice of any physician or surgeon licensed to practice, when the need for such treatment is immediate, and when efforts to contact me (us) are unsuccessful.

Effective date: ___________________________ Expiration date: ___________________________

_________________________________________  Date

Parent/Legal Guardian Signature

_________________________________________  Date

Signature of the Authorized Custodial Parent

_________________________________________  Phone number ___________________________

Child’s doctor

Health insurance name: ___________________________ Group No. ________________ □ None

Medications: ___________________________________________________________ □ None

Allergies: ___________________________________________________________ □ None

Serious health issues: ___________________________________________________ □ None

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AUTORIZACIÓN PARA EL CONSENTIMIENTO DE TRATAMIENTO MÉDICO PARA UN MENOR DE EDAD

Yo, (nosotros) ___________________ y ___________________
(Nombre del padre/tutor legal) (Nombre del padre/tutor legal)

declaro que soy (somos) el (los) padre(s) biológico(s) o tutor(es) legal(es) de
____________________________, menor con ______ años de edad, nacido el __________.
(Nombre del niño/a)

Yo (nosotros) autorizo (autorizamos) a ___________________, y/o ___________________,
(Nombre del proveedor de cuidado) (Nombre del proveedor de cuidado)

a dar consentimiento a tratamiento médico y atención hospitalaria que será prestada al menor
bajo la supervisión general especial y en el consejo de cualquier médico o cirujano con licencia,
cuando la necesidad de tal tratamiento sea inmediata, y cuando no se puedan comunicar conmigo (nosotros).

Fecha efectiva: ___________________ Fecha de vencimiento: ___________________

Firma del padre(s)/tutor(es) legal ___________________ Fecha ___________________

Firma del padre(s) con custodia ___________________ Fecha ___________________

Nombre del doctor del niño(a) ___________________ Teléfono ___________________

Nombre de la aseguranza: ___________________ No. de grupo _________ ☐ Ninguno

Medicamentos: ___________________ ☐ Ninguno

Alergias: ___________________ ☐ Ninguna

Graves problemas de salud: ___________________ ☐ Ninguna
Staff should document removals of students by law enforcement or other agencies. Record of the removal should be kept by the school.

REMOVAL OF PUPIL FROM SCHOOL DURING SCHOOL HOURS

Pupil name ___________________________________________ School __________________________
Parent/legal guardian ________________________________ Phone No. __________________________
Home Address __________________________________________

The pupil named above was removed from school during school hours by a peace officer making an arrest or taking a child into custody, or a child protective services worker taking a child into protective custody in accordance with the laws of this state and the rules and regulations of this district.

Peace Officer _______________________________ Badge No. __________________________
CPS Worker ___________________________ I.D. __________________________
Agency Name ___________________________ Phone No. __________________________
Agency Address __________________________________________
Facility and address where pupil taken: __________________________________________

Date and time of removal __________________________________________

Basis for Action (check one)

☐ Section 836 - Penal Code (arrest without warrant)
☐ Warrant of arrest
☐ Section 305 - Welfare and Institutions Code - without warrant
☐ Section 306 - Welfare and Institutions Code - without warrant
☐ Section 625 - Welfare and Institutions Code - without warrant
☐ With express permission of parents
☐ In case of emergency when parents cannot be reached
☐ In case of emergency when rights of one of the persons involved might otherwise be seriously impaired (such as child abuse investigation) (County Counsel HWW NO. 2-1958)

Parent/legal guardian was notified by ______________________ of the removal and the place where the pupil was taken, except under special circumstances provided in Education Code 48906.

Date ___________________________ Time ___________________________

________________________________________
(Signature of principal or certificated person in charge)
RETIRRO DE ESTUDIANTE DE LA ESCUELA
DURANTE EL HORARIO ESCOLAR

Nombre del estudiante ___________________________ Escuela ________________
Padre/tutor legal ___________________________ Número de teléfono ____________
Domicilio ________________________________

El estudiante arriba mencionado(a) fue retirado(a) de la escuela durante el horario escolar por un
oficial de policía al hacer un arresto o llevar a un niño (a) bajo custodia, o un trabajador de
servicios de protección infantil al llevar a un niño (a) bajo custodia de protección en conformidad
con las leyes de este estado y las reglas y regulaciones de este distrito.

Oficial de policía ___________________________ No. de placa ________________
Trabajador(a) CPS ___________________________ I.D. ________________________
Nombre de la agencia _________________________ Número de teléfono ____________
Dirección de la agencia _________________________________
Instalación y dirección donde fue trasladado el estudiante: ________________________________

Fecha y hora que fue retirado(a) ________________________________

Base para la acción (marque uno):
□ Sección 836 - Código Penal (detención sin orden judicial)
□ Orden de detención
□ Sección 305 - Código de Bienestar e Instituciones - sin mandamiento judicial
□ Sección 306 - Código de Bienestar e Instituciones - sin mandamiento judicial
□ Sección 625 - Código de Bienestar e Instituciones - sin mandamiento judicial
□ Con el permiso explícito de los padres
□ En caso de emergencia, cuando los padres no pueden ser localizados
□ En caso de emergencia, cuando los derechos de una de las personas involucrada [de otro
modo podrían verse afectados seriamente] (como investigación de abuso infantil) (Abogado
del Condado HWW NO. 2-1958)

El padre/tutor legal fue notificado por ____________________ del retiro y el lugar donde el
estudiante fue trasladado, excepto bajo circunstancias especiales proporcionadas en el Código de
Educación 48906.

Fecha: ___________________________ Hora: ___________________________

(Firma del director o persona certificada a cargo)
CAREGIVER'S AUTHORIZATION AFFIDAVIT

Use of this affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code.

Instructions: Completion of items 1-4 and the signing of the affidavit is sufficient to authorize enrollment of a minor in school and authorize school-related medical care. Completion of items 5-8 is additionally required to authorize any other medical care. Print clearly.

The minor named below lives in my home and I am 18 years of age or older.

1. Name of minor: __________________________________________________________

2. Minor's birth date: ______________________________________________________

3. My name (adult giving authorization): ______________________________________

4. My home address: _______________________________________________________

5. [ ] I am a grandparent, aunt, uncle, or other qualified relative of the minor (see back of this form for a definition of "qualified relative").

6. Check one or both (for example, if one parent was advised and the other cannot be located):

[ ] I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.

[ ] I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time, to notify them of my intended authorization.

7. My date of birth: ________________________________________________________

8. My California driver's license or identification card number: ___________________

Warning: Do not sign this form if any of the statements above are incorrect, or you will be committing a crime punishable by a fine, imprisonment, or both.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: ________________________ Signed: ________________________

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Notices:

1. This declaration does not affect the rights of the minor's parents or legal guardian regarding the care, custody, and control of the minor, and does not mean that the caregiver has legal custody of the minor.

2. A person who relies on this affidavit has no obligation to make any further inquiry or investigation.

Additional Information:

TO CAREGIVERS:

1. "Qualified relative," for purposes of item 5, means a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix "grand" or "great," or the spouse of any of the persons specified in this definition, even after the marriage has been terminated by death or dissolution.

2. The law may require you, if you are not a relative or a currently licensed foster parent, to obtain a foster home license in order to care for a minor. If you have any questions, please contact your local department of social services.

3. If the minor stops living with you, you are required to notify any school, health care provider, or health care service plan to which you have given this affidavit. The affidavit is invalid after the school, health care provider, or health care service plan receives notice that the minor no longer lives with you.

4. If you do not have the information requested in item 8 (California driver's license or I.D.), provide another form of identification such as your social security number or Medi-Cal number.

TO SCHOOL OFFICIALS:

1. Section 48204 of the Education Code provides that this affidavit constitutes a sufficient basis for a determination of residency of the minor, without the requirement of a guardianship or other custody order, unless the school district determines from actual facts that the minor is not living with the caregiver.

2. The school district may require additional reasonable evidence that the caregiver lives at the address provided in item 4.

TO HEALTH CARE PROVIDERS AND HEALTH CARE SERVICE PLANS:

1. A person who acts in good faith reliance upon a caregiver's authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is not subject to criminal liability or to civil liability to any person, and is not subject to professional disciplinary action, for that reliance if the applicable portions of the form are completed.

2. This affidavit does not confer dependency for health care coverage purposes.
DECLARACIÓN DE AUTORIZACIÓN
AL PROVEEDOR DE CUIDADO A MENORES

El uso de esta declaración está autorizada por la Parte 1.5 (comenzando con la Sección 6550) de la División 11 del Código Familiar de California.

Instrucciones: Al completar los artículos 1-4 y firmando la declaración es suficiente para autorizar la matriculación de un menor en la escuela y la autorización de la atención médica relacionada con la escuela. El completar los artículos 5-8 es un requisito adicional para autorizar cualquier otro cuidado médico. Escriba claramente.

El menor nombrado a continuación vive en mi casa y yo tengo 18 años o más de edad.

1. Nombre del menor: _______________________________________

2. Fecha de nacimiento del menor: _____________________________

3. Mi nombre es (adulto dando la autorización): _________________

4. Mi domicilio: ____________________________________________

5. [ ] Soy el abuelo(a), tío, tía, u otro pariente capacitado del menor (vea atrás de esta forma para la definición de “pariente capacitado”)

6. Marque uno o ambos (por ejemplo, si se le avisó a un padre y el otro no puede ser localizado):

[ ] Yo le he avisado al padre(s) u otra(s) persona(s) que tenga(n) custodia legal del menor de mi intento de autorizar el cuidado médico y no he recibido una objeción.

[ ] No puedo comunicarme con el padre(s) u otra(s) persona(s) que tenga(n) custodia legal del menor en este momento para notificarles de mi intención de autorización.

7. Mi fecha de nacimiento ___________________________________

8. Mi número de licencia de conducir o de identificación de California: __________________________

Aviso: No firme esta forma si alguna de las declaraciones de arriba no sea correcta, o usted estará cometiendo un crimen penado con una multa, encarcelamiento o ambos.

Yo declaro bajo pena de perjurio bajo las leyes del estado de California que lo precedente es correcto y verdadero.

Fecha: _________________________ Firma: _________________________
Avisos:

1. Esta declaración no afecta los derechos de los padres o tutores legales del menor con relación al cuidado, custodia y control del menor, y no significa que el proveedor de cuidado de menores tiene custodia legal del menor.

2. La persona que confió en esta autorización no tiene la obligación de hacer más averiguaciones o investigaciones.

Información adicional:

A PROVEEDORES DE CUIDADO A MENORES

1. "Pariente capacitado" para los propósitos del artículo 5, significa un esposo, padre, padrastro, hermano, hermana, hermanastro, hermanastra, medio hermano, media hermana, tío, tía, sobrina, sobrino, primo hermano, o cualquier persona indicada por el prefijo “abuelo(s), bisabuelo(s)” o el esposo de cualquiera de las personas especificadas en esta definición, aun después de que el matrimonio se haya terminado por muerte o disolución.

2. La ley puede requerir que usted, si usted no es un pariente o un padre de crianza con licencia actual, obtenga una licencia de hogar de crianza para poder cuidar a un menor de edad. Si tiene preguntas, por favor comuníquese con su departamento local de servicios sociales.

3. Si el menor deja de vivir con usted, usted está obligado a notificar a la escuela, al proveedor de salud o al plan de servicio de cuidado de salud al cual usted ha dado esta autorización. La autorización no es válida después de que la escuela, el proveedor de salud o el plan de servicio de cuidado de salud recibe notificación de que el menor dejó de vivir con usted.

4. Si usted no tiene la información requerida en el artículo 8 (licencia de conducir o identificación de California) favor de proveer otra forma de identificación tales como su número de seguro social, o número de Medi-Cal.

A OFICIALES DE ESCUELAS:

1. La Sección 48204 del Código de Educación provee que esta declaración constituye una base suficiente para la determinación de residencia del menor, sin los requisitos de tutela u otra orden de custodia, al menos que el distrito escolar determine por hechos actuales que el menor no está viviendo con el proveedor de cuidado de menores.

2. El distrito escolar puede requerir evidencia adicional razonable que el proveedor de cuidado de menores vive en la dirección proveida en el artículo 4.

A LOS PROVEEDORES DE CUIDADO DE LA SALUD Y LOS PLANES DE SERVICIO DE CUIDADO DE SALUD:

1. La persona que actúa de buena fe bajo la declaración de autorización al proveedor de cuidado de menores para proveer cuidado médico o dental, sin conocimiento actual de hechos contrarios a esos descritos en la autorización, no es sujeto a responsabilidad criminal o responsabilidad civil a cualquier persona, ni es sujeto a acción profesional disciplinaria, por tal confianza si las porciones aplicables de la forma esten completas.

2. Esta autorización no otorga dependencia para propósitos de cobertura de cuidado de salud.
Note: The following form should be completed when custodial parent wishes the child to be known by a name different from the name on birth verification, but for whom there has been no legal change of name.

REQUEST FOR CHANGE OF NAME OF MINOR

I, ____________________________, being the custodial mother/father or legal guardian of ____________________________, do hereby request that my child, who was formerly known as ____________________________, be from this day forward known as ____________________________.  

First   Middle   Last

_______________________________
First   Middle   Last

________________________________________
Signature of parent or guardian requesting the proposed change of name  Date

________________________________________
Signature of other parent, if available.  Date

Note: The following form should be completed only when there is a legal change of name through court action such as: adoption, court petition by legal guardian if both parents are dead, court naturalization proceeding marriage, court order in proceeding contesting change of surname.

LEGAL NAME CHANGE

I, ____________________________, being the custodial mother/father or legal guardian of ____________________________, do hereby request that my child, who was formerly known as ____________________________, be from this day forward known as ____________________________.  

First   Middle   Last

________________________________________
First   Middle   Last

The change of name requested has been ordered or approved by a judgment of a California court of competent jurisdiction. A copy of the order or judgment is attached.

________________________________________
Signature of parent or guardian requesting the change of name  Date
SOLICITUD PARA CAMBIO DE NOMBRE DE UN MENOR

Yo, __________________________, siendo la madre/el padre con custodia o tutor legal de
______________________________, solicito por este medio que mi hijo(a), que era conocido(a) antes
como __________________________, sea de ahora en adelante conocido(a)

como

Primer Nombre    Segundo    Apellido

______________________________

Firma del padre o tutor legal solicitando el cambio de nombre propuesto                      Fecha

Firma del otro padre, si está disponible                                                Fecha

Nota: Este formulario debe ser completado sólo cuando haya un cambio legal de nombre a
través de una acción judicial, tales como: adopción, petición judicial por el tutor legal si ambos
padres han muerto, naturalización tribunal después del matrimonio, una orden judicial en
impugnación de cambio de apellido.

CAMBIO DE NOMBRE LEGAL

Yo, __________________________, siendo la madre/el padre con custodia o tutor legal de
______________________________, solicito por este medio que mi hijo(a), que era conocido(a) antes
como __________________________, sea de ahora en adelante conocido(a)

como

Primer nombre    Segundo    Apellido

______________________________

El cambio de nombre solicitado ha sido ordenado o autorizado por un juicio de un tribunal de
California de jurisdicción competente. Una copia de la orden o juicio está adjunta.

______________________________

Firma del padre o tutor legal solicitando el cambio de nombre                     Fecha
AFFIDAVIT FOR PROOF OF AGE OF MINOR

I, __________________________________________, declare:

I am the (check one): _____ parent  _____ legal guardian  _____ caregiver

of __________________________________________ and hereby affirm that he/she

(Student's Name: First, Middle, Last)

was born on __________________ in __________________________.

Month/Day/Year  City/State/Country

I further affirm that a certificate of birth is not available for said minor.

I declare under penalty of perjury under the laws of California that, of my own personal
knowledge, the above is true and correct and that if called upon to testify, I would be competent
to identify thereto.

Print Name of Parent/Legal Guardian/Caregiver

Signature of Parent/Legal Guardian/Caregiver  Date
DECLARACIÓN JURADA COMO PRUEBA DE EDAD DE UN MENOR

Yo, ________________ declaro:

que soy (marque uno): ___ padre  ___ tutor legal  ___ proveedor de cuidado

de ________________ y afirmo que él/ella nació

(Nombre del alumno(a): Primer Nombre, Segundo, Apellido)

el día ________________ en ________________.

mes/día/año en ciudad/estado/país

También afirmo que no hay un certificado de nacimiento disponible para tal menor.

Declaro bajo pena de perjurio bajo las leyes de California que de mi propio conocimiento personal, lo anterior es verdadero y correcto y si fuera llamado a testificar, sería competente para identificar a la misma.

Imprima el nombre del padre/tutor legal/proveedor de cuidado

Firma del padre/tutor legal/proveedor de cuidado  Fecha
RESIDENCY VERIFICATION AFFIDAVIT

California Education Code (EC) 48200 requires all persons between the ages of 6 and 18 to attend school in the district in which the parent or legal guardian resides, unless otherwise exempted. EC 48204.1 requires that the parent or legal guardian provides reasonable evidence that meets the residency requirements for school attendance.

Student Name ___________________________________________ Date of Birth ________________

School ___________________________________ Grade Level ________________

I certify that I am the parent and/or legal guardian of the above named student and that we live at the following address:

Address ________________________________________________

City ___________________________ Zip ______________________

We have lived at this address since (month/day/year) ______________________

I have provided the two (2) following documentation as reasonable proof of residency:

☐ Property tax payment receipts
☐ Rental property contract, lease, or payment receipts
☐ Utility service contract, statement, or payment receipts
☐ Pay stubs
☐ Voter registration
☐ Correspondence from a government agency

I give permission for the following organization or agency who has knowledge of my official address as shown above, to release this information to the district:

If an employee of a school district reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency, the school district may make reasonable efforts to determine that the pupil actually meets the residency requirements. Investigations that reveal pupils who have enrolled on the basis of providing false information will lead to disenrollment and/or withdrawal from the district.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that any and all copies of documents submitted to verify my residence are true and correct copies of the original documents, and that they have not been altered except for the crossing out of dollar amounts and account numbers. I agree that I will notify the school within five (5) school days when there has been a change of residence, either within or outside of the school district.

Dated: _________________________ Signed: _________________________
DECLARACIÓN DE VERIFICACIÓN DE RESIDENCIA

El Código de Educación de California (EC) 48200 requiere que todas las personas entre las edades de 6 y 18 años asistan a la escuela en el distrito en el que el padre o tutor legal vive, a menos que estén exentos. EC 48204.1 requiere que el padre o tutor legal proporcione pruebas suficientes que cumplan con los requisitos de residencia para la asistencia escolar.

Nombre del estudiante __________________________ Fecha de nacimiento ____________

Escuela __________________________ Grado __________________________

Yo certifico que soy el padre y/o tutor legal del estudiante arriba mencionado y que vivimos en la dirección siguiente:

Domicilio __________________________

Ciudad __________________________ Código postal __________________________

Hemos vivido en este domicilio desde (mes/día/año) __________________________

He proporcionado los dos (2) documentos siguientes como prueba razonable de residencia:

☐ Recibos de pago de impuestos de la propiedad
☐ Contrato de alquiler de propiedad, contrato de arrendamiento, o recibos de pago
☐ Contrato, declaración, comprobante/recibos de pago de servicios públicos
☐ Talones de pago
☐ Registro de votante
☐ Correspondencia de alguna agencia del gobierno

Yo doy permiso para que la siguiente organización o agencia que tenga conocimiento de mi dirección oficial como se indica arriba, libere esta información al distrito:

Si un empleado de un distrito escolar razonablemente cree que el padre o tutor legal de un alumno ha presentado pruebas falsas o evidencia de residencia de poca confianza, el distrito escolar puede hacer esfuerzos razonables para determinar que el alumno realmente cumple con los requisitos de residencia. Investigaciones que reveleen a alumnos que se han inscrito sobre la base de información falsa darán lugar a ser dados de baja y/o retirados del distrito.

Yo declaro bajo pena de perjurio bajo las leyes del Estado de California que lo anterior es correcto y verdadero, y que las copias de todos y cada uno de los documentos presentados para verificar mi residencia son copias verdaderas y auténticas de los documentos originales, y que no han sido alterados excepto por tachar las cantidades de dólares y números de cuenta. Estoy de acuerdo que voy a notificar a la escuela dentro de cinco días (5) escolares cuando se haya producido un cambio de residencia, ya sea dentro o fuera del distrito escolar.

Fecha: __________________________ Firma: __________________________
STUDENT NIGHTTIME RESIDENCY QUESTIONNAIRE

This document is intended to address the requirements mandated within the McKinney-Vento Assistance Act, U.S.C.A. 42 Section 11302(a). Your answers will help determine documents necessary to enroll your child quickly.

Date: ___________________ School: ___________________ Student ID#: ___________________ 
Student Name (First, M.I., Last): ___________________ □ Male □ Female 
Date of Birth: ___________________ Grade: _______ Special Ed: □ No □ Yes, designation ___________________ 
Address: ___________________ City: ___________ Zip: ___________ 
Mailing Address (if different): ___________________ Contact Number: ___________________ 
The student(s) live(s) with: □ 1 parent □ 1 parent & another adult □ an adult, not the parent/legal guardian 
□ 2 parents □ a relative □ alone with no adults
Student’s Living Situation (Check all that may apply):

□ In a shelter ___________________ (name of shelter) 
□ In a motel or hotel ___________________ (name of motel/hotel) 
□ In a transitional housing program ___________________ (name of program) 
□ In a car, trailer or campsite, temporarily, due to inadequate housing 
□ In a rented trailer/motor home on private property 
□ In a Single Room Occupancy (SRO) building – a multiple tenant building consisting of individual rooms with 
shared restrooms and/or kitchens 
□ In a rented garage due to loss of housing 
□ In another family’s house or apartment, temporarily, due to loss of housing, stemming from financial 
problems (e.g. loss of job, eviction, or natural disaster) 
□ With an adult that is not the parent/legal guardian, temporarily, due to loss of housing 
□ Awaiting foster placement 
□ Other places not designed for, or ordinarily used as a regular sleeping accommodation for human beings 
(please explain) ___________________ 
□ Living alone, without any adult (unaccompanied youth) 

□ None of the above apply – NO FURTHER INFORMATION REQUIRED AT THIS TIME. You DO NOT need to return this form to the school site. If your housing situation changes, please notify your child’s school. 

Please list all siblings between the ages of birth and 22 years old. Please complete a separate questionnaire for each child.

<table>
<thead>
<tr>
<th>NAME</th>
<th>BIRTH DATE</th>
<th>AGE</th>
<th>GRADE</th>
<th>SCHOOL</th>
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</table>

AFFIDAVIT

By signing this form, I declare under penalty of the laws in the State of California that the foregoing is true and correct. In addition, I understand that the District reserves the right to verify the above listed residence information.

Signature of Parent/Legal Guardian/Caregiver: ___________________ Date: ___________________
CUESTIONARIO DE RESIDENCIA NOCTURNA DEL ESTUDIANTE

Este documento tiene como propósito cumplir con los requisitos marcados de acuerdo a la Ley Federal de Asistencia Educativa de McKinney-Vento, U.S.C.A. 42 Sección 11302(a). Su respuesta nos ayudarán a determinar los documentos necesarios que le asistirán a inscribir a su hijo(a) con rapidez.

Fecha: ___________ Escuela: ______________________ No. de Identificación del estudiante: ___________

Nombre del estudiante (Primero, S.I., Apellido): ________________________ ☐ Masculino ☐ Femenino
Fecha de nacimiento: ___________ Grado: ___________ Edu. Especial: ☐ No ☐ Sí, designación ___________

Dirección: ________________________ Ciudad: ________________________ C.P.: ___________

Dirección de Correo (si es diferente):

Nombre del padre/tutor legal: ________________________ Número de contacto: ___________

El/los estudiante(s) vive(n) con: ☐ 1 padre ☐ 1 padre y otro adulto ☐ un adulto que no es el padre/tutor legal ☐ 2 padres ☐ un familiar ☐ solo sin adultos

Situación de vivienda del alumno(a) (Marque todas las que correspondan):

☐ En un refugio temporal ________________________ (nombre del refugio temporal)
☐ En un motel u hotel ________________________ (nombre del motel/hotel)
☐ En un programa de vivienda temporal ________________________ (nombre del programa)
☐ En un carro, remolque o en un terreno de campamento, temporalmente, a causa de no tener una vivienda adecuada para vivir
☐ En un remolque de alquiler/casa rodante en propiedad privada
☐ En un edificio con habitaciones individuales (SRO) – un edificio que consta del alquiler para múltiples inquilinos con habitaciones individuales que comparten baños y/o cocinas
☐ En un garaje de alquiler a causa de la pérdida de vivienda
☐ En la casa o apartamento de un familiar, temporalmente, a causa de la pérdida de vivienda, a raíz de problemas financieros (e.g. pérdida de trabajo, desalojo, o desastre natural)
☐ Con un adulto que no es el padre/tutor legal, temporalmente, a causa de la pérdida de vivienda
☐ Esperando la colocación de un hogar temporal de crianza
☐ Otros lugares no aptos, o no usados por lo general para que un ser humano pueda pasar la noche (favor de explicar) ________________________
☐ Vive solo, sin ningún adulto (joven no acompañado)

☐ Ninguno de los arriba mencionados aplica – NO SE REQUIERE MAS INFORMACIÓN POR EL MOMENTO. Usted NO TIENE que regresar esta forma a la escuela. Si su situación de vivienda cambia, favor de notificar a la escuela de su hijo(a).

Por favor escriba los nombres de todos los hermanos(as) entre las edades de recién nacido hasta los 22 años de edad. Por favor complete un cuestionario separado para cada niño(a).

<table>
<thead>
<tr>
<th>NOMBRE</th>
<th>FECHA DE NACIMIENTO</th>
<th>EDAD</th>
<th>GRADO</th>
<th>ESCUELA</th>
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DECLARACIÓN
Al firmar esta forma, yo declaro bajo juramento ante las leyes del estado de California que lo precedente es correcto y verdadero. Además, entiendo que el Distrito tiene el derecho de verificar la información de residencia indicada.

Firma del padre/tutor legal/proveedor de cuidado: ___________ Fecha: ___________
EMERGENCY CONTACT FORM

For the protection of a pupil’s health and welfare, parents/legal guardians of each pupil are required to keep current emergency information at the pupil’s school of attendance. Please fill in the information requested carefully and accurately.

**Student Information**

School: ___________________________ Grade: _______ Gender: □ Male □ Female

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First</th>
<th>Middle</th>
<th>Date of Birth</th>
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<thead>
<tr>
<th>Home Address</th>
<th>City</th>
<th>Zip Code</th>
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Mailing Address (if different from above)

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<thead>
<tr>
<th>City</th>
<th>Zip Code</th>
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</table>

Student lives with: (If “other”, specify here ______________________)

- □ Both biological parents
- □ Biological father only
- □ Biological mother only
- □ Biological father-stepmother
- □ Biological mother-stepfather
- □ Joint custody
- □ Legal guardian
- □ Foster parent(s)
- □ Caregiver

Other children at the home address:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Grade:</th>
<th>School:</th>
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<tr>
<th>Name:</th>
<th>Grade:</th>
<th>School:</th>
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Parent(s)/Legal Guardian(s) – Preferred language of communication: ______________________

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<thead>
<tr>
<th>Last Name</th>
<th>First</th>
<th>Middle</th>
<th>Relationship</th>
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Employer Name & Address

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<tr>
<th>City</th>
<th>Zip Code</th>
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<table>
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<tr>
<th>Home Phone</th>
<th>Cell Phone</th>
<th>Work Phone</th>
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<tr>
<th>Home Address (if different from above)</th>
<th>City</th>
<th>Zip Code</th>
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Employer Name & Address

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<th>Work Phone</th>
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</thead>
<tbody>
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</tbody>
</table>
Authorized Persons for Release/Contact

I hereby authorize contact with, release of emergency related information to, or release of the student to the following persons listed below in the event of illness, injury, evacuation or other emergencies that may occur while my student is in school. I understand that my student will not be released to anyone other than the persons listed below.

Name of Contact #1
Relationship
Phone: ☐ Home ☐ Cell ☐ Work

Name of Contact #1
Relationship
Phone: ☐ Home ☐ Cell ☐ Work

Name of Contact #1
Relationship
Phone: ☐ Home ☐ Cell ☐ Work

If a student’s biological parent is not listed on this form:
1. May the school allow that parent contact with the student? ☐ Yes ☐ No
2. May the school release the student to that parent? ☐ Yes ☐ No

If you answered yes to any of the questions above, please make sure that the school has legal documentation (i.e. custody order, restraining order, etc.) to support your answers.

Authorization for Emergency Medical Treatment

I, the undersigned parent/legal guardian of ____________________________, a minor, do hereby give authorization and consent to any x-ray examination, anesthetic, medical or surgical diagnosis, treatment, transportation to a medical facility, and/or hospital care to be rendered to the student upon the advice of any licensed physician and/or dentist. I understand that effort shall be made to contact me prior to rendering treatment to the student, but that any of the above treatment will not be withheld if I or authorized adults cannot be reached. I further understand that all costs of paramedic transportation, hospitalization, and related medical treatment provided in relation to this authorization shall be my sole responsibility as the student’s parent/legal guardian.

Student’s Medical/Health Information

Doctor’s Name: ____________________________ Phone No. ________________________

Health insurance name: ____________________________ Group No. ____________________ ☐ None

Medications: ____________________________ ☐ None

Allergies: ____________________________ ☐ None

Serious health issues: ____________________________ ☐ None

Movement limitations: ____________________________ ☐ None

Recent surgery/hospitalization: ____________________________ ☐ None

I certify that I have read and understood this form and do hereby give authorization for emergency medical treatment, and that all of the information I have provided on this form is true and correct.

Parent/Guardian Signature ____________________________ Date ____________________________
FORMULARIO DE CONTACTO DE EMERGENCIA

Para la protección de la salud y el bienestar del estudiante, los padres/tutores legales de cada alumno están obligados a mantener la información de emergencia actual en la escuela de asistencia del alumno. Por favor complete la información solicitada con cuidado y precisión.

Información del Estudiante

<table>
<thead>
<tr>
<th>Escuela:</th>
<th>Grado:</th>
<th>Sexo:</th>
<th>□ Masculino</th>
<th>□ Femenino</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Apellido</th>
<th>Primer Nombre</th>
<th>Segundo Nombre</th>
<th>Fecha de Nacimiento</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Dirección</th>
<th>Ciudad</th>
<th>Código postal</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Dirección Postal (si es diferente a la anterior)</th>
<th>Ciudad</th>
<th>Código postal</th>
</tr>
</thead>
</table>

Estudiante vive con: (Si responde "otro", especifique aquí) ________________________________________________________________________________________

☐ Ambos padres biológicos  ☐ Padre biológico solamente  ☐ Madre biológica solamente  
☐ Padre biológico - Madrastra  ☐ Madre biológica - Padrastro  ☐ Custodia compartida  
☐ Tutor legal  ☐ Padre(s) de Crianza  ☐ Cuidador (Caregiver)  

Otros niños en este domicilio:

<table>
<thead>
<tr>
<th>Nombre:</th>
<th>Grado:</th>
<th>Escuela:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Nombre:</th>
<th>Grado:</th>
<th>Escuela:</th>
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<table>
<thead>
<tr>
<th>Nombre:</th>
<th>Grado:</th>
<th>Escuela:</th>
</tr>
</thead>
</table>

Padre(s)/Tutor(es) Legal(es) – El idioma preferido de comunicación: ____________________________________________

<table>
<thead>
<tr>
<th>Apellido</th>
<th>Primer Nombre</th>
<th>Segundo Nombre</th>
<th>Relación</th>
</tr>
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</table>

<table>
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<tr>
<th>Dirección (si es diferente a la anterior)</th>
<th>Ciudad</th>
<th>Código postal</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Nombre y Dirección del Empleador</th>
<th>Ciudad</th>
<th>Código postal</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Teléfono del Hogar</th>
<th>Teléfono Celular</th>
<th>Teléfono del Trabajo</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Apellido</th>
<th>Primer Nombre</th>
<th>Segundo Nombre</th>
<th>Relación</th>
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<th>Dirección (si es diferente a la anterior)</th>
<th>Ciudad</th>
<th>Código postal</th>
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<table>
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<tr>
<th>Nombre y Dirección del Empleador</th>
<th>Ciudad</th>
<th>Código postal</th>
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<tr>
<th>Teléfono del Hogar</th>
<th>Teléfono Celular</th>
<th>Teléfono del Trabajo</th>
</tr>
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</table>
Personas Autorizadas para la Entrega / Contacto

Yo autorizo el contacto con, la entrega de información de emergencia relacionada a, o la entrega del estudiante a las personas que aparecen a continuación en caso de enfermedad, lesión, evacuación u otro tipo de emergencia que puede ocurrir mientras mi hijo está en la escuela. Entiendo que mi hijo no será entregado a nadie más que a las personas que aparecen en la lista siguiente.

<table>
<thead>
<tr>
<th>Nombre de Contacto #1</th>
<th>Relación</th>
<th>Teléfono: □ Casa □ Celular □ Trabajo</th>
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<tr>
<th>Nombre de Contacto #1</th>
<th>Relación</th>
<th>Teléfono: □ Casa □ Celular □ Trabajo</th>
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</table>

Si un padre biológico del estudiante no está en la lista de este formulario:
1. ¿Puede la escuela permitirle a ese padre contactar con el estudiante? □ Sí □ No
2. ¿Puede la escuela entregar el estudiante a ese padre? □ Sí □ No

Si usted contestó sí a cualquiera de las preguntas anteriores, por favor, asegúrese de que la escuela tenga documentación legal (como la decisión de custodia, orden de restricción, etc.) para apoyar su(s) respuesta(s).

Autorización para Tratamiento Médico en una Emergencia

Yo, el abajofirmante padre / tutor legal de ___________________________________________, un menor de edad, por este medio doy la autorización y consentimiento para cualquier examen de rayos X, anestesia, diagnóstico médico o quirúrgico, tratamiento, transporte a un centro médico y / o atención hospitalaria que será prestado al estudiante según el asesoramiento de cualquier médico autorizado y / o dentista. Entiendo que se hará lo posible por contactarme antes de rendir el tratamiento al estudiante, pero que cualquiera de los tratamientos anteriores no serán retenidos si yo o los adultos autorizados no pueden ser localizados. Entiendo, además, que todos los gastos de transporte paramédico, hospitalización y tratamiento médico relacionado proporcionado en relación con esta autorización serán mi responsabilidad como el padre / tutor legal del estudiante.

Información Médica y de Salud del Estudiante

Nombre del doctor: _____________________________ Número telefónico _______________________

Nombre del seguro médico: __________________ No. de grupo __________________ □ Ninguno

Medicamentos: __________________________________________________________ □ Ninguno

Alergias: ________________________________________________________________ □ Ninguno

Graves problemas de salud: ______________________________________________ □ Ninguno

Limitaciones de movimiento: _____________________________________________ □ Ninguno

Cirugía / hospitalización reciente: _________________________________________ □ Ninguno

Yo certifico que he leído y entendido este formulario y por la presente doy autorización para tratamiento médico de emergencia, y que toda la información que he proporcionado en esta forma es cierta y correcta.

Firma de Padre o Tutor Legal __________________________________________ Fecha _____________
WRITTEN NOTIFICATION OF LEA ENROLLMENT DECISION

Date: ______________________  School/LEA: ________________________________

Person completing the form: ___________________________________  Title: __________

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Education
Assistance Act of 2001, the following written notification is provided to:

Parent or Guardian: ______________________________________________________

Student(s): ______________________________________________________________

After reviewing your request to enroll the student(s) listed above, the enrollment request is
denied. This determination was based upon:

__________________________________________________________________________

__________________________________________________________________________

You have the right to appeal this decision. Please complete the accompanying Dispute
Resolution form and contact:

NAME OF HOMELESS LIAISON
LEA CONTACT INFORMATION

- The student(s) has the right to immediately enroll in the requested school of origin or school
  of residence pending resolution of the dispute.

- The parent/guardian or unaccompanied homeless youth may provide written or oral
  information to support the request for continuation at the school or origin or to attend the
  school of origin.

- The Enrollment Dispute Resolution process is attached.

You may appeal the LEA’s decision through the Los Angeles County Homeless Liaison.

Los Angeles County Office of Education (LACOE)
Division of Student Support Services
c/o County Homeless Coordinator
9300 Imperial Highway, Downey, CA 90242
(562) 401-5397

You may contact the state coordinator for homeless education to appeal LACOE’s decision:

The California Department of Education
c/o Homeless State Coordinator
1430 N Street, 6th Floor, Suite 6208
Sacramento, CA 95814
(916) 319-0383
NOTIFICACIÓN POR ESCRITO SOBRE LA DECISIÓN DE LA INSCRIPCIÓN DE LA LEA

Fecha: __________________________ Escuela/LEA: ________________________________

Nombre de la persona completando la forma: ___________________________ Título: ___________

En cumplimiento con la sección 722(g)(3)(E) de la Ley de Asistencia Educativa para “Personas sin un Hogar” de McKinney-Vento del 2001, la siguiente notificación se le provee a:

Padre o tutor: __________________________

Estudiante(s): __________________________

Después de revisar la petición para inscripción hecha para el(los) alumno(s) mencionado(s) anteriormente, se le notifica que su petición ha sido negada. Esta determinación fue en base a lo siguiente:

_______________________________

_______________________________

_______________________________

_______________________________

_______________________________

_______________________________

_______________________________

Usted tiene el derecho de apelar esta decisión. Por favor complete la forma de resolución de disputas adjunta y comuníquese con:

NOMBRE DEL COORDINADOR PARA LAS PERSONAS SIN UN HOGAR INFORMACIÓN DE CONTACTO DE LA LEA

- El (los) alumno(s) tienc(n) el derecho a inscribirse inmediatamente en la escuela de origen o en la escuela de residencia mientras se resuelve la disputa.
- El padre/tutor o el joven no acompañado y sin un hogar puede proveer por escrito o en forma oral la información que respalda la petición para continuar en la escuela de origen.
- El proceso de resolución de disputas de inscripción esta adjunto.

Usted puede apelar la decisión de la LEA por medio del coordinador del Condado de Los Ángeles para personas sin un hogar.

Los Angeles County Office of Education (LACOE)  
Division of Student Support Services  
c/o County Homeless Coordinator  
9300 Imperial Highway, Downey, CA 90242  
(562) 401-5397

Usted puede comunicarse con el coordinador estatal para personas sin un hogar para apelar la decisión de LACOE:

The California Department of Education  
c/o Homeless State Coordinator  
1430 N Street, 6th Floor, Suite 6208  
Sacramento, CA 95814  
(916) 319-0383
ENROLLMENT DISPUTE FORM

Instructions: This form is to be completed by a parent or legal guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the LEA’s liaison for homeless students.

Student’s name: ____________________________ DOB: ________________

Name of school requested: ________________________________________

Parent/Legal Guardian Name: ________________________________________

Relation to the student: ____________________________________________

Address: _________________________________________________________

Home Phone: ____________________________ Message Phone: __________

I wish to appeal the enrollment decision made by:

_____ Principal       _____ LEA liaison       _____ County liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally. Attach additional paper as necessary.

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

Please supply copies of any written documents that may be relevant to your complaint.

I have been provided with:

_____ A written explanation of the district’s decision

_____ Copy of the district’s Dispute Resolution Process

_____ Contact information for the district’s homeless liaison and the county office of education’s homeless liaison

I certify that the foregoing is true and correct:

_________________________________________________________________
Parent/Legal Guardian Signature Date

Mail or fax form to: PROVIDE CONTACT INFORMATION
For assistance in completing this form please contact: PROVIDE CONTACT INFORMATION
FORMA DE DISPUTA SOBRE LA INSCRIPCIÓN

Instrucciones: Esta forma debe ser completada por un padre o tutor legal o estudiante cuando una disputa sobre la inscripción ha surgido. Como alternativa a completar esta forma, la información en esta forma puede ser compartida verbalmente con el coordinador de la Agencia Educativa Local (LEA por sus siglas en inglés) para los estudiantes sin un hogar.

Nombre del Estudiante:________________________ Fecha de Nacimiento:__________

Nombre de la escuela solicitada:_______________________________________________________

Nombre del Padre/Tutor Legal:_________________________________________________________

Relación al Estudiante:_______________________________________________________________

Dirección:_________________________________________________________________________

Teléfono del Hogar:________________________ Teléfono para dejar Mensaje:__________

Yo deseo apelar la decisión de inscripción hecha por:

_____ Director  _____ Coordinador de la LEA  _____ Coordinador del Condado

Razón por la apelación: Usted puede incluir una explicación apoyando su apelación en este espacio o proporcionar una explicación verbal. Adjunte hojas adicionales si son necesarias.

______________________________________________________________________________

______________________________________________________________________________

Por favor proporcione copias de cualquier documento por escrito que puedan ser relevante a su queja.

Me han proporcionado con:

_____ Una explicación por escrita sobre la decisión del distrito

_____ Copia del Proceso de Resolución de Disputas del distrito

_____ Información de contacto del coordinador del distrito para estudiantes sin un hogar y el coordinador de la Oficina de Educación del Condado para estudiantes sin un hogar

Yo certifico que lo antedicho es cierto y correcto:

______________________________________________________________________________

Firma del Padre/ Tutor Legal  Fecha

Envíe por correo o fax al: PROVIDE CONTACT INFORMATION
Para asistencia en completar esta forma favor comuníquese con: PROVIDE CONTACT INFORMATION

55
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Part III

Custody, Residency and Enrollment Related Codes
CUSTOMY RELATED CODES

Definitions; Legislative Intent; Construction of Custody Orders

*FC 3002 – Joint custody*

“Joint custody” means joint physical custody and joint legal custody.

*FC 3003 – Joint legal custody*

“Joint legal custody” means that both parents shall share the right and the responsibility to make the decisions relating to the health, education, and welfare of a child.

*FC 3004 – Joint physical custody*

“Joint physical custody” means that each of the parents shall have significant periods of physical custody. Joint physical custody shall be shared by the parents in such a way so as to assure a child of frequent and continuing contact with both parents, subject to Section 3011 and 3020.

*FC 3006 – Sole legal custody*

“Sole legal custody” means that one parent shall have the right and the responsibility to make the decisions relating to the health, education, and welfare of a child.

*FC 3007 – Sole physical custody*

“Sole physical custody” means that a child shall reside with and be under the supervision of one parent, subject to the power of the court to order visitation.

*FC 3010 – Custody of unemancipated minor children*

(a) The mother of an unemancipated minor child and the father, if presumed to be the father under Section 7611, are equally entitled to the custody of the child.

(b) If one parent is dead, is unable or refuses to take custody, or has abandoned the child, the other parent is entitled to custody of the child.

*FC 3011 – Best interest of child; considerations*

In making a determination of the best interest of the child in a proceeding described in Section 3021, the court shall, among any other factors it finds relevant, consider all of the following:

(a) The health, safety, and welfare of the child.

(b) Any history of abuse by one parent or any other person seeking custody against any of the following:
(1) Any child to whom he or she is related by blood or affinity or with whom he or she has had a caretaking relationship, no matter how temporary.

(2) The other parent.

(3) A parent, current spouse, or cohabitant, of the parent or person seeking custody, or a person with whom the parent or person seeking custody has a dating or engagement relationship.

As a prerequisite to the consideration of allegations of abuse, the court may require substantial independent corroboration, including, but not limited to, written reports by law enforcement agencies, child protective services or other social welfare agencies, courts, medical facilities, or other public agencies or private nonprofit organizations providing services to victims of sexual assault or domestic violence. As used in this subdivision, “abuse against a child” means “child abuse” as defined in Section 11165.6 of the Penal Code and abuse against any of the other persons described in paragraph (2) or (3) means “abuse” as defined in Section 6203 of this code.

(c) The nature and amount of contact with both parents, except as provided in 3046.

(d) The habitual or continual illegal use of controlled substances or habitual or continual abuse of alcohol by either parent. Before considering these allegations, the court may first require independent corroboration, including, but not limited to, written reports from law enforcement agencies, courts, probation departments, social welfare agencies, medical facilities, rehabilitation facilities, or other public agencies or nonprofit organizations providing drug and alcohol abuse services. As used in this subdivision, “controlled substances” has the same meaning as defined in the California Uniform Controlled Substances Act, Division 10 (commencing with Section 11000) of the Health and Safety Code.

(e) (1) Where allegations about a parent pursuant to subdivision (b) or (d) have been brought to the attention of the court in the current proceeding, and the court makes an order for sole or joint custody to that parent, the court shall state its reasons in writing or on the record. In these circumstances, the court shall ensure that any order regarding custody or visitation is specific as to time, day, place, and manner of transfer of the child as set forth in subdivision (b) of Section 6323.

(2) The provisions of this subdivision shall not apply if the parties stipulate in writing or on the record regarding custody or visitation.
FC 3020 – Legislative findings and declarations; health, safety, and welfare of children; continuing contact with parents

(a) The Legislature finds and declares that it is the public policy of this state to assure that the health, safety, and welfare of children shall be the court's primary concern in determining the best interest of children when making any orders regarding the physical or legal custody or visitation of children. The Legislature further finds and declares that the perpetration of child abuse or domestic violence in a household where a child resides is detrimental to the child.

(b) The Legislature finds and declares that it is the public policy of this state to assure that children have frequent and continuing contact with both parents after the parents have separated or dissolved their marriage, or ended their relationship, and to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy, except where the contact would not be in the best interest of the child, as provided in Section 3011.

(c) Where the policies set forth in subdivisions (a) and (b) of this section are in conflict, any court's order regarding physical or legal custody or visitation shall be made in a manner that ensures the health, safety, and welfare of the child and the safety of all family members.

FC 3048 – Required contents for custody or visitation orders; risk of child abduction; risk factors and preventative measures; notation of preventative conditions on minute order of court proceedings; Child Abduction Unit; child custody order forms

(a) Notwithstanding any other provision of law, in any proceeding to determine child custody or visitation with a child, every custody or visitation order shall contain all of the following:

(1) The basis for the court's exercise of jurisdiction.

(2) The manner in which notice and opportunity to be heard were given.

(3) A clear description of the custody and visitation rights of each party.

(4) A provision stating that a violation of the order may subject the party in violation to civil or criminal penalties, or both.

(5) Identification of the country of habitual residence of the child or children.

(b) (1) In cases in which the court becomes aware of facts which may indicate that there is a risk of abduction of a child, the court shall, either on its own motion or at the request of a party, determine whether measures are needed to prevent the abduction of the child by one parent. To make that determination, the court shall consider the risk of abduction of the child, obstacles to location, recovery, and
return if the child is abducted, and potential harm to the child if he or she is abducted. To determine whether there is a risk of abduction, the court shall consider the following factors:

(A) Whether a party has previously taken, enticed away, kept, withheld, or concealed a child in violation of the right of custody or of visitation of a person.

(B) Whether a party has previously threatened to take, entice away, keep, withhold, or conceal a child in violation of the right of custody or of visitation of a person.

(C) Whether a party lacks strong ties to this state.

(D) Whether a party has strong familial, emotional, or cultural ties to another state or country, including foreign citizenship. This factor shall be considered only if evidence exists in support of another factor specified in this section.

(E) Whether a party has no financial reason to stay in this state, including whether the party is unemployed, is able to work anywhere, or is financially independent.

(F) Whether a party has engaged in planning activities that would facilitate the removal of a child from the state, including quitting a job, selling his or her primary residence, terminating a lease, closing a bank account, liquidating other assets, hiding or destroying documents, applying for a passport, applying to obtain a birth certificate or school or medical records, or purchasing airplane or other travel tickets, with consideration given to whether a party is carrying out a safety plan to flee from domestic violence.

(G) Whether a party has a history of a lack of parental cooperation or child abuse, or there is substantiated evidence that a party has perpetrated domestic violence.

(H) Whether a party has a criminal record.

(2) If the court makes a finding that there is a need for preventative measures after considering the factors listed in paragraph (1), the court shall consider taking one or more of the following measures to prevent the abduction of the child:

(A) Ordering supervised visitation.

(B) Requiring a parent to post a bond in an amount sufficient to serve as a financial deterrent to abduction, the proceeds of which may be used to offset the cost of recovery of the child in the event there is an abduction.

(C) Restricting the right of the custodial or noncustodial parent to remove the child from the county, the state, or the country.
(D) Restricting the right of the custodial parent to relocate with the child, unless the custodial parent provides advance notice to, and obtains the written agreement of, the noncustodial parent, or obtains the approval of the court, before relocating with the child.

(E) Requiring the surrender of passports and other travel documents.

(F) Prohibiting a parent from applying for a new or replacement passport for the child.

(G) Requiring a parent to notify a relevant foreign consulate or embassy of passport restrictions and to provide the court with proof of that notification.

(H) Requiring a party to register a California order in another state as a prerequisite to allowing a child to travel to that state for visits, or to obtain an order from another country containing terms identical to the custody and visitation order issued in the United States (recognizing that these orders may be modified or enforced pursuant to the laws of the other country), as a prerequisite to allowing a child to travel to that country for visits.

(I) Obtaining assurances that a party will return from foreign visits by requiring the traveling parent to provide the court or the other parent or guardian with any of the following:

(i) The travel itinerary of the child.

(ii) Copies of round trip airline tickets.

(iii) A list of addresses and telephone numbers where the child can be reached at all times.

(iv) An open airline ticket for the left-behind parent in case the child is not returned.

(J) Including provisions in the custody order to facilitate use of the Uniform Child Custody Jurisdiction and Enforcement Act (Part 3 (commencing with Section 3400)) and the Hague Convention on the Civil Aspects of International Child Abduction (implemented pursuant to 42 U.S.C. Sec. 11601 et seq.), such as identifying California as the home state of the child or otherwise defining the basis for the California court’s exercise of jurisdiction under Part 3 (commencing with Section 3400), identifying the United States as the country of habitual residence of the child pursuant to the Hague Convention, defining custody rights pursuant to the Hague Convention, obtaining the express agreement of the parents that the United States is the country of habitual residence of the child, or that California or the United States is the most appropriate forum for addressing custody and visitation orders.

(K) Authorizing the assistance of law enforcement.
FC § 3048 Continued

(3) If the court imposes any or all of the conditions listed in paragraph (2), those conditions shall be specifically noted on the minute order of the court proceedings.

(4) If the court determines there is a risk of abduction that is sufficient to warrant the application of one or more of the prevention measures authorized by this section, the court shall inform the parties of the telephone number and address of the Child Abduction Unit in the office of the district attorney in the county where the custody or visitation order is being entered.

(c) The Judicial Council shall make the changes to its child custody order forms that are necessary for the implementation of subdivision (b). This subdivision shall become operative on July 1, 2003.

(d) Nothing in this section affects the applicability of Section 278.7 of the Penal Code.

**FC 3080 – Presumption of joint custody**

There is a presumption, affecting the burden of proof, that joint custody is in the best interest of a minor child, subject to Section 3011, where the parents have agreed to joint custody or so agree in open court at a hearing for the purpose of determining the custody of the minor child.

**FC 3083 – Contents and construction of joint legal custody order**

In making an order of joint legal custody, the court shall specify the circumstances under which the consent of both parents is required to be obtained in order to exercise legal control of the child and the consequences of the failure to obtain mutual consent. In all other circumstances, either parent acting alone may exercise legal control of the child. An order of joint legal custody shall not be construed to permit an action that is inconsistent with the physical custody order unless the action is expressly authorized by the court.

**FC 3084 – Rights of parents to physical control of child**

In making an order of joint physical custody, the court shall specify the rights of each parent to physical control of the child in sufficient detail to enable a parent deprived of that control to implement laws for relief of child snatching and kidnapping.

**FC 3085 – Grant of joint legal custody without joint physical custody**

In making an order for custody with respect to both parents, the court may grant joint legal custody without granting joint physical custody.
FC 3086 – Orders of joint physical custody or joint legal custody; designation of primary caretaker and primary home of child

In making an order of joint physical custody or joint legal custody, the court may specify one parent as the primary caretaker of the child and one home as the primary home of the child, for the purposes of determining eligibility for public assistance.

FC 3443 – Recognition and enforcement of out-of-state custody decrees

(a) A court of this state shall recognize and enforce a child custody determination of a court of another state if the latter court exercised jurisdiction in substantial conformity with this part or the determination was made under factual circumstances meeting the jurisdictional standards of this part and the determination has not been modified in accordance with this part.

(b) A court of this state may utilize any remedy available under other laws of this state to enforce a child custody determination made by a court of another state. The remedies provided in this chapter are cumulative and do not affect the availability of other remedies to enforce a child custody determination.

Custody & Rights of Access and Decision-making

FC 3025 – Parental access to records

Notwithstanding any other provision of law, access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records, shall not be denied to a parent because that parent is not the child's custodial parent.

EC 56055 – Rights of foster parents pertaining to foster child's education

(a) (1) Except as provided in subdivisions (b), (c), and (d), a foster parent may exercise, to the extent permitted by federal law, including, but not limited to, Section 300.30 of Title 34 of the Code of Federal Regulations, the rights related to his or her foster child's education that a parent has under Title 20 (commencing with Section 1400) of the United States Code and pursuant to Part 300 (commencing with Section 300.1) of Title 34 of the Code of Federal Regulations. The foster parent may represent the foster child for the duration of the foster parent-foster child relationship in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising an individualized education program, if necessary, and in all other matters relating to the provision of a free appropriate public education of the child.
Notwithstanding any other provision of law, this representation shall include the provision of written consent to the individualized education program, including nonemergency medical services, mental health treatment services, and occupational or physical therapy services pursuant to this chapter. The foster parent may sign any consent relating to individualized education program purposes.

(2) A foster parent exercising rights relative to a foster child under this section may consult with the parent or guardian of the child to ensure continuity of health, mental health, or other services.

(b) A foster parent who had been excluded by court order from making educational decisions on behalf of a pupil does not have the rights relative to the pupil set forth in subdivision (a).

(c) This section only applies if the juvenile court has limited the right of the parent or guardian to make educational decisions on behalf of the child, and the child has been placed in a planned permanent living arrangement pursuant to paragraph (3) of subdivision (g) of Section 366.21, Section 366.22, Section 366.26, or paragraph (5) or (6) of subdivision (b) of Section 727.3 of the Welfare and Institutions Code.

(d) For purposes of this section, a foster parent shall include a person, relative caretaker, or nonrelative extended family member as defined in Section 362.7 of the Welfare and Institutions Code, who has been licensed or approved by the county welfare department, county probation department, or the State Department of Social Services, or who has been designated by the court as a specified placement.

FC 3150 – Appointment of private counsel

(a) If the court determines that it would be in the best interest of the minor child, the court may appoint private counsel to represent the interests of the child in a custody or visitation proceeding, provided that the court and counsel comply with the requirements set forth in Rules 5.240, 5.241, and 5.242 of the California Rules of Court.

(b) Upon entering an appearance on behalf of a child pursuant to this chapter, counsel shall continue to represent that child unless relieved by the court upon the substitution of other counsel by the court or for cause.

FC 3151 – Duties and rights of private counsel

(a) The child’s counsel appointed under this chapter is charged with the representation of the child’s best interests. The role of the child’s counsel is to gather evidence that bears on the best interests of the child, and present that admissible evidence to the court in any manner appropriate for the counsel of a party. If the child so desires, the child’s counsel shall present the child’s wishes to the court. The counsel’s duties, unless under the circumstances it is inappropriate to exercise
the duty, include interviewing the child, reviewing the court files and all accessible relevant records available to both parties, and making any further investigations as the counsel considers necessary to ascertain evidence relevant to the custody or visitation hearings.

(b) Counsel shall serve notices and pleadings on all parties, consistent with requirements for parties. Counsel shall not be called as a witness in the proceeding. Counsel may introduce and examine counsel's own witnesses, present arguments to the court concerning the child's welfare, and participate further in the proceeding to the degree necessary to represent the child adequately.

(c) The child's counsel shall have the following rights:

1. Reasonable access to the child.

2. Standing to seek affirmative relief on behalf of the child.

3. Notice of any proceeding, and all phases of that proceeding, including a request for examination affecting the child.

4. The right to take any action that is available to a party to the proceeding, including, but not limited to, the following: filing pleadings, making evidentiary objections, and presenting evidence and being heard in the proceeding, which may include, but shall not be limited to, presenting motions and orders to show cause, and participating in settlement conferences, trials, seeking writs, appeals, and arbitrations.

5. Access to the child's medical, dental, mental health, and other health care records, school and educational records, and the right to interview school personnel, caretakers, health care providers, mental health professionals, and others who have assessed the child or provided care to the child. The release of this information to counsel shall not constitute a waiver of the confidentiality of the reports, files, and any disclosed communications. Counsel may interview mediators; however, the provisions of Sections 3177 and 3182 shall apply.

6. The right to reasonable advance notice of and the right to refuse any physical or psychological examination or evaluation, for purposes of the proceeding, which has not been ordered by the court.

7. The right to assert or waive any privilege on behalf of the child.

8. The right to seek independent psychological or physical examination or evaluation of the child for purposes of the pending proceeding, upon approval by the court.
The use of a caregiver is to meet residency requirements, as stipulated under EC 48204(a)(4).

A caregiver may have right of access to student records as a person acting in the role of a parent in the absence of the parent. However, it is recommended that school obtain written authorization from the parent/guardian allowing for the caregiver to have access to student records and/or make decisions on their behalf.

In 2004, FC 6552 was amended to remove the requirement that caregiver affidavits be renewed annually.

Schools must use the form found under FC 6552.

**FC 6550 – Authorization affidavits; scope of authority; reliance on affidavit (Caregivers)**

(a) A caregiver's authorization affidavit that meets the requirements of this part authorizes a caregiver 18 years of age or older who completes items 1 to 4, inclusive, of the affidavit provided in Section 6552 and signs the affidavit to enroll a minor in school and consent to school-related medical care on behalf of the minor. A caregiver who is a relative and who completes items 1 to 8, inclusive, of the affidavit provided in Section 6552 and signs the affidavit shall have the same rights to authorize medical care and dental care for the minor that are given to guardians under Section 2353 of the Probate Code. The medical care authorized by this caregiver who is a relative may include mental health treatment subject to the limitations of Section 2356 of the Probate Code.

(b) The decision of a caregiver to consent to or to refuse medical or dental care for a minor shall be superceded by any contravening decision of the parent or other person having legal custody of the minor, provided the decision of the parent or other person having legal custody of the minor does not jeopardize the life, health, or safety of the minor.

(c) A person who acts in good faith reliance on a caregiver's authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is not subject to criminal liability or to civil liability to any person, and is not subject to professional disciplinary action, for that reliance if the applicable portions of the affidavit are completed. This subdivision applies even if medical or dental care is provided to a minor in contravention of the wishes of the parent or other person having legal custody of the minor as long as the person providing the medical or dental care has no actual knowledge of the wishes of the parent or other person having legal custody of the minor.

(d) A person who relies on the affidavit has no obligation to make any further inquiry or investigation.

(e) Nothing in this section relieves any individual from liability for violations of other provisions of law.

(f) If the minor stops living with the caregiver, the caregiver shall notify any school, health care provider, or health care service plan that has been given the affidavit. The affidavit is invalid after the school, health care provider, or health care service plan receives notice that the minor is no longer living with the caregiver.

(g) A caregiver's authorization affidavit shall be invalid, unless it substantially contains, in not less than 10-point boldface type or a reasonable equivalent thereof, the warning statement beginning with the word “warning” specified in Section 6552. The warning statement shall be enclosed in a box with 3-point rule lines.
FC § 6550 Continued

(h) For purposes of this part, the following terms have the following meanings:

(1) “Person” includes an individual, corporation, partnership, association, the state, or any city, county, city and county, or other public entity or governmental subdivision or agency, or any other legal entity.

(2) “Relative” means a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix “grand” or “great,” or the spouse of any of the persons specified in this definition, even after the marriage has been terminated by death or dissolution.

(3) “School-related medical care” means medical care that is required by state or local governmental authority as a condition for school enrollment, including immunizations, physical examinations, and medical examinations conducted in schools for pupils.

WIC 361 – Limitations on parental or guardian control; right to make educational developmental services decisions; appointment of responsible adult; relinquishment of child; grounds for removal of child; placement; findings

(a) In all cases in which a minor is adjudged a dependent child of the court on the ground that the minor is a person described by Section 300, the court may limit the control to be exercised over the dependent child by any parent or guardian and shall by its order clearly and specifically set forth all those limitations. Any limitation on the right of the parent or guardian to make educational or developmental services decisions for the child shall be specifically addressed in the court order. The limitations may not exceed those necessary to protect the child. If the court specifically limits the right of the parent or guardian to make educational or developmental services decisions for the child, the court shall at the same time appoint a responsible adult to make educational or developmental services decisions for the child until one of the following occurs:

(1) The minor reaches 18 years of age, unless the child chooses not to make educational or developmental services decisions for himself or herself, or is deemed by the court to be incompetent.

(2) Another responsible adult is appointed to make educational or developmental services decisions for the minor pursuant to this section.

(3) The right of the parent or guardian to make educational or developmental services decisions for the minor is fully restored.

(4) A successor guardian or conservator is appointed.
(5) The child is placed into a planned permanent living arrangement pursuant to paragraph (3) of subdivision (g) of Section 366.21, Section 366.22, or Section 366.26, at which time, for educational decisionmaking, the foster parent, relative caretaker, or nonrelative extended family member as defined in Section 362.7, has the right to represent the child in educational matters pursuant to Section 56055 of the Education Code, and for decisions relating to developmental services, unless the court specifies otherwise, the foster parent, relative caregiver, or nonrelative extended family member of the planned permanent living arrangement has the right to represent the child in matters related to developmental services.

An individual who would have a conflict of interest in representing the child may not be appointed to make educational or developmental services decisions. For purposes of this section, "an individual who would have a conflict of interest," means a person having any interests that might restrict or bias his or her ability to make educational or developmental services decisions, including, but not limited to, those conflicts of interest prohibited by Section 1126 of the Government Code, and the receipt of compensation or attorneys' fees for the provision of services pursuant to this section. A foster parent may not be deemed to have a conflict of interest solely because he or she receives compensation for the provision of services pursuant to this section.

If the court is unable to appoint a responsible adult to make educational decisions for the child and paragraphs (1) to (5), inclusive, do not apply, and the child has either been referred to the local educational agency for special education and related services, or has a valid individualized education program, the court shall refer the child to the local educational agency for appointment of a surrogate parent pursuant to Section 7579.5 of the Government Code.

If the court cannot identify a responsible adult to make educational decisions for the child, the appointment of a surrogate parent as defined in subdivision (a) of Section 56050 of the Education Code is not warranted, and there is no foster parent to exercise the authority granted by Section 56055 of the Education Code, the court may, with the input of any interested person, make educational decisions for the child.

If the court appoints a developmental services decisionmaker pursuant to this section, he or she shall have the authority to access the child's information and records pursuant to subdivision (u) of Section 4514 and subdivision (y) of Section 5328, and to act on the child's behalf for the purposes of the individual program plan process pursuant to Sections 4646, 4646.5, and 4648 and the fair hearing process pursuant to Chapter 7 (commencing with Section 4700) of Division 4.5, and as set forth in the court order.
If the court cannot identify a responsible adult to make developmental services decisions for the child, the court may, with the input of any interested person, make developmental services decisions for the child. If the child is receiving services from a regional center, the provision of any developmental services related to the court's decision must be consistent with the child's individual program plan and pursuant to the provisions of the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500)).

All educational and school placement decisions shall seek to ensure that the child is in the least restrictive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

(b) Subdivision (a) does not limit the ability of a parent to voluntarily relinquish his or her child to the State Department of Social Services or to a licensed county adoption agency at any time while the child is a dependent child of the juvenile court, if the department or agency is willing to accept the relinquishment.

(c) A dependent child may not be taken from the physical custody of his or her parents or guardian or guardians with whom the child resides at the time the petition was initiated, unless the juvenile court finds clear and convincing evidence of any of the following circumstances listed in paragraphs (1) to (5), inclusive, and, in an Indian child custody proceeding, paragraph (6):

(1) There is or would be a substantial danger to the physical health, safety, protection, or physical or emotional well-being of the minor if the minor were returned home, and there are no reasonable means by which the minor's physical health can be protected without removing the minor from the minor's parent's or guardian's physical custody. The fact that a minor has been adjudicated a dependent child of the court pursuant to subdivision (e) of Section 300 shall constitute prima facie evidence that the minor cannot be safely left in the physical custody of the parent or guardian with whom the minor resided at the time of injury. The court shall consider, as a reasonable means to protect the minor, the option of removing an offending parent or guardian from the home. The court shall also consider, as a reasonable means to protect the minor, allowing a nonoffending parent or guardian to retain physical custody as long as that parent or guardian presents a plan acceptable to the court demonstrating that he or she will be able to protect the child from future harm.

(2) The parent or guardian of the minor is unwilling to have physical custody of the minor, and the parent or guardian has been notified that if the minor remains out of their physical custody for the period
specified in Section 366.26, the minor may be declared permanently free from their custody and control.

(3) The minor is suffering severe emotional damage, as indicated by extreme anxiety, depression, withdrawal, or untoward aggressive behavior toward himself or herself or others, and there are no reasonable means by which the minor's emotional health may be protected without removing the minor from the physical custody of his or her parent or guardian.

(4) The minor or a sibling of the minor has been sexually abused, or is deemed to be at substantial risk of being sexually abused, by a parent, guardian, or member of his or her household, or other person known to his or her parent, and there are no reasonable means by which the minor can be protected from further sexual abuse or a substantial risk of sexual abuse without removing the minor from his or her parent or guardian, or the minor does not wish to return to his or her parent or guardian.

(5) The minor has been left without any provision for his or her support, or a parent who has been incarcerated or institutionalized cannot arrange for the care of the minor, or a relative or other adult custodian with whom the child has been left by the parent is unwilling or unable to provide care or support for the child and the whereabouts of the parent is unknown and reasonable efforts to locate him or her have been unsuccessful.

(6) In an Indian child custody proceeding, continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child, and that finding is supported by testimony of a "qualified expert witness" as described in Section 224.6.

(A) Stipulation by the parent, Indian custodian, or the Indian child's tribe, or failure to object, may waive the requirement of producing evidence of the likelihood of serious damage only if the court is satisfied that the party has been fully advised of the requirements of the Indian Child Welfare Act (25 U.S.C. Sec. 1901 et seq.), and has knowingly, intelligently, and voluntarily waived them.

(B) Failure to meet non-Indian family and child-rearing community standards, or the existence of other behavior or conditions that meet the removal standards of this section, will not support an order for placement in the absence of the finding in this paragraph.

(d) The court shall make a determination as to whether reasonable efforts were made to prevent or to eliminate the need for removal of the minor from his or her home or, if the minor is removed for one of the reasons stated in paragraph (5) of subdivision (c), whether it was reasonable under the circumstances not to make any of those efforts, or, in the case of an Indian child custody proceeding, whether active
efforts as required in Section 361.7 were made and that these efforts have proved unsuccessful. The court shall state the facts on which the decision to remove the minor is based.

(e) The court shall make all of the findings required by subdivision (a) of Section 366 in either of the following circumstances:

(1) The minor has been taken from the custody of his or her parent or guardian and has been living in an out-of-home placement pursuant to Section 319.

(2) The minor has been living in a voluntary out-of-home placement pursuant to Section 16507.4.

WIC 726 – Limitations on parental or guardian control; removal from physical custody; limitation on right to make educational or developmental services decisions; appointment of responsible adult; conflicts of interest; appointment of developmental services decisionmaker; physical confinement of minor; jurisdiction

(a) In all cases in which a minor is adjudged a ward or dependent child of the court, the court may limit the control to be exercised over the ward or dependent child by any parent or guardian and shall in its order, clearly and specifically set forth all those limitations, but no ward or dependent child shall be taken from the physical custody of a parent or guardian, unless upon the hearing the court finds one of the following facts:

(1) That the parent or guardian is incapable of providing or has failed or neglected to provide proper maintenance, training, and education for the minor.

(2) That the minor has been tried on probation while in custody and has failed to reform.

(3) That the welfare of the minor requires that custody be taken from the minor's parent or guardian.

(b) Whenever the court specifically limits the right of the parent or guardian to make educational or developmental services decisions for the minor, the court shall at the same time appoint a responsible adult to make educational or developmental services decisions for the child until one of the following occurs:

(1) The minor reaches 18 years of age, unless the child chooses not to make educational or developmental services decisions for himself or herself, or is deemed by the court to be incompetent.

(2) Another responsible adult is appointed to make educational or developmental services decisions for the minor pursuant to this section.

(3) The right of the parent or guardian to make educational or developmental services decisions for the minor is fully restored.
WIC § 726 Continued

(4) A successor guardian or conservator is appointed.

(5) The child is placed into a planned permanent living arrangement pursuant to paragraph (5) or (6) of subdivision (b) of Section 727.3, at which time, for educational decisionmaking, the foster parent, relative caretaker, or nonrelative extended family member as defined in Section 362.7 has the right to represent the child in educational matters pursuant to Section 56055 of the Education Code, and for decisions relating to developmental services, unless the court specifies otherwise, the foster parent, relative caregiver, or nonrelative extended family member of the planned permanent living arrangement has the right to represent the child in matters related to developmental services.

An individual who would have a conflict of interest in representing the child, as specified under federal regulations, may not be appointed to make educational decisions. The limitations applicable to conflicts of interest for educational rights holders shall also apply to authorized representatives for developmental services decisions pursuant to subdivision (b) of Section 4701.6. For purposes of this section, “an individual who would have a conflict of interest,” means a person having any interests that might restrict or bias his or her ability to make educational or developmental services decisions, including, but not limited to, those conflicts of interest prohibited by Section 1126 of the Government Code, and the receipt of compensation or attorneys' fees for the provision of services pursuant to this section. A foster parent may not be deemed to have a conflict of interest solely because he or she receives compensation for the provision of services pursuant to this section.

If the court is unable to appoint a responsible adult to make educational decisions for the child and paragraphs (1) to (5), inclusive, do not apply, and the child has either been referred to the local educational agency for special education and related services, or has a valid individualized education program, the court shall refer the child to the local educational agency for appointment of a surrogate parent pursuant to Section 7579.5 of the Government Code.

All educational and school placement decisions shall seek to ensure that the child is in the least restrictive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

If the court appoints a developmental services decisionmaker pursuant to this section, he or she shall have the authority to access the child's information and records pursuant to subdivision (u) of Section 4514 and subdivision (y) of Section 5328, and to act on the child's behalf for the purposes of the individual program plan process pursuant to
Sections 4646, 4646.5, and 4648 and the fair hearing process pursuant to Chapter 7 (commencing with Section 4700) of Division 4.5, and as set forth in the court order.

(c) If the minor is removed from the physical custody of his or her parent or guardian as the result of an order of wardship made pursuant to Section 602, the order shall specify that the minor may not be held in physical confinement for a period in excess of the maximum term of imprisonment which could be imposed upon an adult convicted of the offense or offenses which brought or continued the minor under the jurisdiction of the juvenile court.

As used in this section and in Section 731, “maximum term of imprisonment” means the longest of the three time periods set forth in paragraph (2) of subdivision (a) of Section 1170 of the Penal Code, but without the need to follow the provisions of subdivision (b) of Section 1170 of the Penal Code or to consider time for good behavior or participation pursuant to Sections 2930, 2931, and 2932 of the Penal Code, plus enhancements which must be proven if pled.

If the court elects to aggregate the period of physical confinement on multiple counts or multiple petitions, including previously sustained petitions adjudging the minor a ward within Section 602, the “maximum term of imprisonment” shall be the aggregate term of imprisonment specified in subdivision (a) of Section 1170.1 of the Penal Code, which includes any additional term imposed pursuant to Section 667, 667.5, 667.6, or 12022.1 of the Penal Code, and Section 11370.2 of the Health and Safety Code.

If the charged offense is a misdemeanor or a felony not included within the scope of Section 1170 of the Penal Code, the “maximum term of imprisonment” is the longest term of imprisonment prescribed by law.

“Physical confinement” means placement in a juvenile hall, ranch, camp, forestry camp or secure juvenile home pursuant to Section 730, or in any institution operated by the Youth Authority.

This section does not limit the power of the court to retain jurisdiction over a minor and to make appropriate orders pursuant to Section 727 for the period permitted by Section 607.

**WIC 727 – Order for care, supervision, custody, conduct, maintenance and support of ward of court; extracurricular, enrichment, and social activities placement; counseling; parental participation**

(a) When a minor is adjudged a ward of the court on the ground that he or she is a person described by Section 601 or 602, the court may make any and all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the minor, including medical
treatment, subject to further order of the court. To facilitate coordination and cooperation among governmental agencies, the court may, after giving notice and an opportunity to be heard, join in the juvenile court proceedings any agency that the court determines has failed to meet a legal obligation to provide services to the minor. However, no governmental agency shall be joined as a party in a juvenile court proceeding in which a minor has been ordered committed to the Department of the Youth Authority. In any proceeding in which an agency is joined, the court shall not impose duties upon the agency beyond those mandated by law. Nothing in this section shall prohibit agencies which have received notice of the hearing on joinder from meeting prior to the hearing to coordinate services for the minor.

The court has no authority to order services unless it has been determined through the administrative process of an agency that has been joined as a party, that the minor is eligible for those services. With respect to mental health assessment, treatment, and case management services pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code, the court's determination shall be limited to whether the agency has complied with that chapter.

In the discretion of the court, a ward may be ordered to be on probation without supervision of the probation officer. The court, in so ordering, may impose on the ward any and all reasonable conditions of behavior as may be appropriate under this disposition. A minor who has been adjudged a ward of the court on the basis of the commission of any of the offenses described in subdivision (b) or paragraph (2) of subdivision (d) of Section 707, Section 459 of the Penal Code, or subdivision (a) of Section 11350 of the Health and Safety Code, shall not be eligible for probation without supervision of the probation officer. A minor who has been adjudged a ward of the court on the basis of the commission of any offense involving the sale or possession for sale of a controlled substance, except misdemeanor offenses involving marijuana, as specified in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, or of an offense in violation of Section 32625 of the Penal Code, shall be eligible for probation without supervision of the probation officer only when the court determines that the interests of justice would best be served and states reasons on the record for that determination.

In all other cases, the court shall order the care, custody, and control of the minor to be under the supervision of the probation officer who may place the minor in any of the following:

(1) The approved home of a relative, or the approved home of a nonrelative, extended family member as defined in Section 362.7. When a decision has been made to place the minor in the home of a
relative, the court may authorize the relative to give legal consent for the minor's medical, surgical, and dental care and education as if the relative caretaker were the custodial parent of the minor.

(2) A suitable licensed community care facility.

(3) With a foster family agency to be placed in a suitable licensed foster family home or certified family home which has been certified by the agency as meeting licensing standards.

(4) (A) Every child adjudged a ward of the juvenile court who is residing in a placement as defined in paragraphs (1) to (3), inclusive, shall be entitled to participate in age-appropriate extracurricular, enrichment, and social activities. No state or local regulation or policy may prevent, or create barriers to, participation in those activities. Each state and local entity shall ensure that private agencies that provide foster care services to wards have policies consistent with this section and that those agencies promote and protect the ability of wards to participate in age-appropriate extracurricular, enrichment, and social activities. A group home administrator, a facility manager, or his or her responsible designee, and a caregiver, as defined in paragraph (1) of subdivision (a) of Section 362.04, shall use a reasonable and prudent parent standard, as defined in paragraph (2) of subdivision (a) of Section 362.04, in determining whether to give permission for a child residing in foster care to participate in extracurricular, enrichment, and social activities. A group home administrator, a facility manager, or his or her responsible designee, and a caregiver shall take reasonable steps to determine the appropriateness of the activity taking into consideration the child's age, maturity, and developmental level.

(B) A group home administrator or a facility manager, or his or her responsible designee, is encouraged to consult with social work or treatment staff members who are most familiar with the child at the group home in applying and using the reasonable and prudent parent standard.

(b) When a minor has been adjudged a ward of the court on the ground that he or she is a person described in Section 601 or 602 and the court finds that notice has been given in accordance with Section 661, and when the court orders that a parent or guardian shall retain custody of that minor either subject to or without the supervision of the probation officer, the parent or guardian may be required to participate with that minor in a counseling or education program including, but not limited to, parent education and parenting programs operated by community colleges, school districts, or other appropriate agencies designated by the court.

(c) The juvenile court may direct any and all reasonable orders to the parents and guardians of the minor who is the subject of any proceedings under this chapter as the court deems necessary and
proper to carry out subdivisions (a) and (b), including orders to appear before a county financial evaluation officer and orders directing the parents or guardians to ensure the minor's regular school attendance and to make reasonable efforts to obtain appropriate educational services necessary to meet the needs of the minor.

When counseling or other treatment services are ordered for the minor, the parent, guardian, or foster parent shall be ordered to participate in those services, unless participation by the parent, guardian, or foster parent is deemed by the court to be inappropriate or potentially detrimental to the child.

Custody & Visitation Rights

FC 3027.5 – Sexual abuse of child; report or treatment; limitations on custody or visitation

(a) No parent shall be placed on supervised visitation, or be denied custody of or visitation with his or her child, and no custody or visitation rights shall be limited, solely because the parent (1) lawfully reported suspected sexual abuse of the child, (2) otherwise acted lawfully, based on a reasonable belief, to determine if his or her child was the victim of sexual abuse, or (3) sought treatment for the child from a licensed mental health professional for suspected sexual abuse.

(b) The court may order supervised visitation or limit a parent's custody or visitation if the court finds substantial evidence that the parent, with the intent to interfere with the other parent's lawful contact with the child, made a report of child sexual abuse, during a child custody proceeding or at any other time, that he or she knew was false at the time it was made. Any limitation of custody or visitation, including an order for supervised visitation, pursuant to this subdivision, or any statute regarding the making of a false child abuse report, shall be imposed only after the court has determined that the limitation is necessary to protect the health, safety, and welfare of the child, and the court has considered the state's policy of assuring that children have frequent and continuing contact with both parents as declared in subdivision (b) of Section 3020.

FC 3030 – Sex offenders; murderers; custody and visitation; child support; disclosure of information relating to custodial parent

(a) (1) No person shall be granted physical or legal custody of, or unsupervised visitation with, a child if the person is required to be registered as a sex offender under Section 290 of the Penal Code where the victim was a minor, or if the person has been convicted under Section 273a, 273d, or 647.6 of the Penal Code, unless the court finds that there is no significant risk to the child and states its reasons in writing or on the record. The child may not be placed in a home in
which that person resides, nor permitted to have unsupervised visitation with that person, unless the court states the reasons for its findings in writing or on the record.

(2) No person shall be granted physical or legal custody of, or unsupervised visitation with, a child if anyone residing in the person's household is required, as a result of a felony conviction in which the victim was a minor, to register as a sex offender under Section 290 of the Penal Code, unless the court finds there is no significant risk to the child and states its reasons in writing or on the record. The child may not be placed in a home in which that person resides, nor permitted to have unsupervised visitation with that person, unless the court states the reasons for its findings in writing or on the record.

(3) The fact that a child is permitted unsupervised contact with a person who is required, as a result of a felony conviction in which the victim was a minor, to be registered as a sex offender under Section 290 of the Penal Code, shall be prima facie evidence that the child is at significant risk. When making a determination regarding significant risk to the child, the prima facie evidence shall constitute a presumption affecting the burden of producing evidence. However, this presumption shall not apply if there are factors mitigating against its application, including whether the party seeking custody or visitation is also required, as the result of a felony conviction in which the victim was a minor, to register as a sex offender under Section 290 of the Penal Code.

(b) No person shall be granted custody of, or visitation with, a child if the person has been convicted under Section 261 of the Penal Code and the child was conceived as a result of that violation.

(c) No person shall be granted custody of, or unsupervised visitation with, a child if the person has been convicted of murder in the first degree, as defined in Section 189 of the Penal Code, and the victim of the murder was the other parent of the child who is the subject of the order, unless the court finds that there is no risk to the child's health, safety, and welfare, and states the reasons for its finding in writing or on the record. In making its finding, the court may consider, among other things, the following:

(1) The wishes of the child, if the child is of sufficient age and capacity to reason so as to form an intelligent preference.

(2) Credible evidence that the convicted parent was a victim of abuse, as defined in Section 6203, committed by the deceased parent. That evidence may include, but is not limited to, written reports by law enforcement agencies, child protective services or other social welfare agencies, courts, medical facilities, or other public agencies or private nonprofit organizations providing services to victims of domestic abuse.
FC § 3030 Continued

(3) Testimony of an expert witness, qualified under Section 1107 of
the Evidence Code, that the convicted parent experiences intimate
partner battering.

Unless and until a custody or visitation order is issued pursuant to this
subdivision, no person shall permit or cause the child to visit or remain
in the custody of the convicted parent without the consent of the
child's custodian or legal guardian.

(d) The court may order child support that is to be paid by a person
subject to subdivision (a), (b), or (c) to be paid through the local child
support agency, as authorized by Section 4573 of the Family Code and
Division 17 (commencing with Section 17000) of this code.

(e) The court shall not disclose, or cause to be disclosed, the custodial
parent's place of residence, place of employment, or the child's school,
unless the court finds that the disclosure would be in the best interest
of the child.

FC 3031 – Protective or restraining orders; findings; transfer of
children; detail specific custody or visitation orders; required
presence of third party

(a) Where the court considers the issue of custody or visitation the
court is encouraged to make a reasonable effort to ascertain whether or
not any emergency protective order, protective order, or other
restraining order is in effect that concerns the parties or the minor. The
court is encouraged not to make a custody or visitation order that is
inconsistent with the emergency protective order, protective order, or
other restraining order, unless the court makes both of the following
findings:

(1) The custody or visitation order cannot be made consistent with the
emergency protective order, protective order, or other restraining
order.

(2) The custody or visitation order is in the best interest of the minor.

(b) Whenever custody or visitation is granted to a parent in a case in
which domestic violence is alleged and an emergency protective order,
protective order, or other restraining order has been issued, the custody
or visitation order shall specify the time, day, place, and manner of
transfer of the child for custody or visitation to limit the child's
exposure to potential domestic conflict or violence and to ensure the
safety of all family members. Where the court finds a party is staying
in a place designated as a shelter for victims of domestic violence or
other confidential location, the court's order for time, day, place, and
manner of transfer of the child for custody or visitation shall be
designed to prevent disclosure of the location of the shelter or other
confidential location.
(c) When making an order for custody or visitation in a case in which domestic violence is alleged and an emergency protective order, protective order, or other restraining order has been issued, the court shall consider whether the best interest of the child, based upon the circumstances of the case, requires that any custody or visitation arrangement shall be limited to situations in which a third person, specified by the court, is present, or whether custody or visitation shall be suspended or denied.

**FC 3042 – Preference of child; custody or visitation; examination of child witnesses; addressing the court; means other than direct testimony; determination of wish to express preference; rule of court**

(a) If a child is of sufficient age and capacity to reason so as to form an intelligent preference as to custody or visitation, the court shall consider, and give due weight to, the wishes of the child in making an order granting or modifying custody or visitation.

(b) In addition to the requirements of subdivision (b) of Section 765 of the Evidence Code, the court shall control the examination of a child witness so as to protect the best interests of the child.

(c) If the child is 14 years of age or older and wishes to address the court regarding custody or visitation, the child shall be permitted to do so, unless the court determines that doing so is not in the child's best interests. In that case, the court shall state its reasons for that finding on the record.

(d) Nothing in this section shall be interpreted to prevent a child who is less than 14 years of age from addressing the court regarding custody or visitation, if the court determines that is appropriate pursuant to the child's best interests.

(e) If the court precludes the calling of any child as a witness, the court shall provide alternative means of obtaining input from the child and other information regarding the child's preferences.

(f) To assist the court in determining whether the child wishes to express his or her preference or to provide other input regarding custody or visitation to the court, a minor's counsel, an evaluator, an investigator, or a mediator who provides recommendations to the judge pursuant to Section 3183 shall indicate to the judge that the child wishes to address the court, or the judge may make that inquiry in the absence of that request. A party or a party's attorney may also indicate to the judge that the child wishes to address the court or judge.

(g) Nothing in this section shall be construed to require the child to express to the court his or her preference or to provide other input regarding custody or visitation.
(h) The Judicial Council shall, no later than January 1, 2012, promulgate a rule of court establishing procedures for the examination of a child witness, and include guidelines on methods other than direct testimony for obtaining information or other input from the child regarding custody or visitation.

(i) The changes made to subdivisions (a) to (g), inclusive, by the act adding this subdivision shall become operative on January 1, 2012.

**FC 3100 – Joint custody orders; visitation rights; domestic violence prevention orders; transfer of children; detail specific orders; confidentiality of shelter locations**

(a) In making an order pursuant to Chapter 4 (commencing with Section 3080), the court shall grant reasonable visitation rights to a parent unless it is shown that the visitation would be detrimental to the best interest of the child. In the discretion of the court, reasonable visitation rights may be granted to any other person having an interest in the welfare of the child.

(b) If a protective order, as defined in Section 6218, has been directed to a parent, the court shall consider whether the best interest of the child requires that any visitation by that parent shall be limited to situations in which a third person, specified by the court, is present, or whether visitation shall be suspended or denied. The court shall include in its deliberations a consideration of the nature of the acts from which the parent was enjoined and the period of time that has elapsed since that order. A parent may submit to the court the name of a person that the parent deems suitable to be present during visitation.

(c) If visitation is ordered in a case in which domestic violence is alleged and an emergency protective order, protective order, or other restraining order has been issued, the visitation order shall specify the time, day, place, and manner of transfer of the child, so as to limit the child's exposure to potential domestic conflict or violence and to ensure the safety of all family members. If a criminal protective order has been issued pursuant to Section 136.2 of the Penal Code, the visitation order shall make reference to, and, unless there is an emergency protective order that has precedence in enforcement pursuant to paragraph (1) of subdivision (c) of Section 136.2 of the Penal Code or a no-contact order, as described in Section 6320, acknowledge the precedence of enforcement of, any appropriate criminal protective order.

(d) If the court finds a party is staying in a place designated as a shelter for victims of domestic violence or other confidential location, the court's order for time, day, place, and manner of transfer of the child for visitation shall be designed to prevent disclosure of the location of the shelter or other confidential location.
**FC 3101 – Stepparent’s visitation rights**

(a) Notwithstanding any other provision of law, the court may grant reasonable visitation to a stepparent, if visitation by the stepparent is determined to be in the best interest of the minor child.

(b) If a protective order, as defined in Section 6218, has been directed to a stepparent to whom visitation may be granted pursuant to this section, the court shall consider whether the best interest of the child requires that any visitation by the stepparent be denied.

(c) Visitation rights may not be ordered under this section that would conflict with a right of custody or visitation of a birth parent who is not a party to the proceeding.

(d) As used in this section:

(1) “Birth parent” means “birth parent” as defined in Section 8512.

(2) “Stepparent” means a person who is a party to the marriage that is the subject of the proceeding, with respect to a minor child of the other party to the marriage.

**FC 3102 – Deceased parent; visitation rights of close relatives; adoption of child**

(a) If either parent of an unemancipated minor child is deceased, the children, siblings, parents, and grandparents of the deceased parent may be granted reasonable visitation with the child during the child’s minority upon a finding that the visitation would be in the best interest of the minor child.

(b) In granting visitation pursuant to this section to a person other than a grandparent of the child, the court shall consider the amount of personal contact between the person and the child before the application for the visitation order.

(c) This section does not apply if the child has been adopted by a person other than a stepparent or grandparent of the child. Any visitation rights granted pursuant to this section before the adoption of the child automatically terminate if the child is adopted by a person other than a stepparent or grandparent of the child.

**FC 3103 – Grandparent’s rights; custody proceeding**

(a) Notwithstanding any other provision of law, in a proceeding described in Section 3021, the court may grant reasonable visitation to a grandparent of a minor child of a party to the proceeding if the court determines that visitation by the grandparent is in the best interest of the child.

(b) If a protective order as defined in Section 6218 has been directed to the grandparent during the pendency of the proceeding, the court
shall consider whether the best interest of the child requires that visitation by the grandparent be denied.

(c) The petitioner shall give notice of the petition to each of the parents of the child, any stepparent, and any person who has physical custody of the child, by certified mail, return receipt requested, postage prepaid, to the person's last known address, or to the attorneys of record of the parties to the proceeding.

(d) There is a rebuttable presumption affecting the burden of proof that the visitation of a grandparent is not in the best interest of a minor child if the child's parents agree that the grandparent should not be granted visitation rights.

(e) Visitation rights may not be ordered under this section if that would conflict with a right of custody or visitation of a birth parent who is not a party to the proceeding.

(f) Visitation ordered pursuant to this section shall not create a basis for or against a change of residence of the child, but shall be one of the factors for the court to consider in ordering a change of residence.

(g) When a court orders grandparental visitation pursuant to this section, the court in its discretion may, based upon the relevant circumstances of the case:

1) Allocate the percentage of grandparental visitation between the parents for purposes of the calculation of child support pursuant to the statewide uniform guideline (Article 2 (commencing with Section 4050) of Chapter 2 of Part 2 of Division 9).

2) Notwithstanding Sections 3930 and 3951, order a parent or grandparent to pay to the other, an amount for the support of the child or grandchild. For purposes of this paragraph, “support” means costs related to visitation such as any of the following:

(A) Transportation.

(B) Provision of basic expenses for the child or grandchild, such as medical expenses, day care costs, and other necessities.

(h) As used in this section, “birth parent” means “birth parent” as defined in Section 8512.

**FC 3104 – Grandparent’s rights; petition by grandparent**

(a) On petition to the court by a grandparent of a minor child, the court may grant reasonable visitation rights to the grandparent if the court does both of the following:

1) Finds that there is a preexisting relationship between the grandparent and the grandchild that has engendered a bond such that visitation is in the best interest of the child.
FC § 3104 Continued

(2) Balances the interest of the child in having visitation with the grandparent against the right of the parents to exercise their parental authority.

(b) A petition for visitation under this section may not be filed while the natural or adoptive parents are married, unless one or more of the following circumstances exist:

(1) The parents are currently living separately and apart on a permanent or indefinite basis.

(2) One of the parents has been absent for more than one month without the other spouse knowing the whereabouts of the absent spouse.

(3) One of the parents joins in the petition with the grandparent.

(4) The child is not residing with either parent.

(5) The child has been adopted by a stepparent.

At any time that a change of circumstances occurs such that none of these circumstances exist, the parent or parents may move the court to terminate grandparental visitation and the court shall grant the termination.

(c) The petitioner shall give notice of the petition to each of the parents of the child, any stepparent, and any person who has physical custody of the child, by personal service pursuant to Section 415.10 of the Code of Civil Procedure.

(d) If a protective order as defined in Section 6218 has been directed to the grandparent during the pendency of the proceeding, the court shall consider whether the best interest of the child requires that any visitation by that grandparent should be denied.

(e) There is a rebuttable presumption that the visitation of a grandparent is not in the best interest of a minor child if the natural or adoptive parents agree that the grandparent should not be granted visitation rights.

(f) There is a rebuttable presumption affecting the burden of proof that the visitation of a grandparent is not in the best interest of a minor child if the parent who has been awarded sole legal and physical custody of the child in another proceeding, or the parent with whom the child resides if there is currently no operative custody order objects to visitation by the grandparent.

(g) Visitation rights may not be ordered under this section if that would conflict with a right of custody or visitation of a birth parent who is not a party to the proceeding.

(h) Visitation ordered pursuant to this section shall not create a basis for or against a change of residence of the child, but shall be one of the factors for the court to consider in ordering a change of residence.
FC § 3104 Continued

(i) When a court orders grandparental visitation pursuant to this section, the court in its discretion may, based upon the relevant circumstances of the case:

(1) Allocate the percentage of grandparental visitation between the parents for purposes of the calculation of child support pursuant to the statewide uniform guideline (Article 2 (commencing with Section 4050) of Chapter 2 of Part 2 of Division 9).

(2) Notwithstanding Sections 3930 and 3951, order a parent or grandparent to pay to the other, an amount for the support of the child or grandchild. For purposes of this paragraph, “support” means costs related to visitation such as any of the following:

(A) Transportation.

(B) Provision of basic expenses for the child or grandchild, such as medical expenses, day care costs, and other necessities.

(j) As used in this section, “birth parent” means “birth parent” as defined in Section 8512.

FC 3105 — Former legal guardians; visitation rights

(a) The Legislature finds and declares that a parent's fundamental right to provide for the care, custody, companionship, and management of his or her children, while compelling, is not absolute. Children have a fundamental right to maintain healthy, stable relationships with a person who has served in a significant, judicially approved parental role.

(b) The court may grant reasonable visitation rights to a person who previously served as the legal guardian of a child, if visitation is determined to be in the best interest of the minor child.

(c) In the absence of a court order granting or denying visitation between a former legal guardian and his or her former minor ward, and if a dependency proceeding is not pending, a former legal guardian may maintain an independent action for visitation with his or her former minor ward. If the child does not have at least one living parent, visitation shall not be determined in a proceeding under the Family Code, but shall instead be determined in a guardianship proceeding which may be initiated for that purpose.

FC 3131 — Custody or visitation orders; duties of district attorney

If a custody or visitation order has been entered by a court of competent jurisdiction and the child is taken or detained by another person in violation of the order, the district attorney shall take all actions necessary to locate and return the child and the person who violated the order and to assist in the enforcement of the custody or visitation order or other order of the court by use of an appropriate civil or criminal proceeding.
Legal Guardianship

**ProbC 1500 – Nomination of guardian of person or estate or both by parent**

Subject to Section 1502, a parent may nominate a guardian of the person or estate, or both, of a minor child in either of the following cases:

(a) Where the other parent nominates, or consents in writing to the nomination of, the same guardian for the same child.

(b) Where, at the time the petition for appointment of the guardian is filed, either (1) the other parent is dead or lacks legal capacity to consent to the nomination or (2) the consent of the other parent would not be required for an adoption of the child.

**ProbC 1502 – Manner of nomination; time effective; subsequent legal incapacity or death of nominator**

(a) A nomination of a guardian under this article may be made in the petition for the appointment of the guardian or at the hearing on the petition or in a writing signed either before or after the petition for the appointment of the guardian is filed.

(b) The nomination of a guardian under this article is effective when made except that a writing nominating a guardian under this article may provide that the nomination becomes effective only upon the occurrence of such specified condition or conditions as are stated in the writing, including but not limited to such conditions as the subsequent legal incapacity or death of the person making the nomination.

(c) Unless the writing making the nomination expressly otherwise provides, a nomination made under this article remains effective notwithstanding the subsequent legal incapacity or death of the person making the nomination.

**ProbC 1510 – Petition for appointment; contents**

(a) A relative or other person on behalf of the minor, or the minor if 12 years of age or older, may file a petition for the appointment of a guardian of the minor. A relative may file a petition for the appointment of a guardian under this section regardless of the relative's immigration status.

(b) The petition shall request that a guardian of the person or estate of the minor, or both, be appointed, shall specify the name and address of the proposed guardian and the name and date of birth of the proposed ward, and shall state that the appointment is necessary or convenient.
(c) The petition shall set forth, so far as is known to the petitioner, the names and addresses of all of the following:

(1) The parents of the proposed ward.

(2) The person having legal custody of the proposed ward and, if that person does not have the care of the proposed ward, the person having the care of the proposed ward.

(3) The relatives of the proposed ward within the second degree.

(4) In the case of a guardianship of the estate, the spouse of the proposed ward.

(5) Any person nominated as guardian for the proposed ward under Section 1500 or 1501.

(6) In the case of a guardianship of the person involving an Indian child, any Indian custodian and the Indian child's tribe.

(d) If the proposed ward is a patient in or on leave of absence from a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services and that fact is known to the petitioner, the petition shall state that fact and name the institution.

(e) The petition shall state, so far as is known to the petitioner, whether or not the proposed ward is receiving or is entitled to receive benefits from the Veterans Administration and the estimated amount of the monthly benefit payable by the Veterans Administration for the proposed ward.

(f) If the petitioner has knowledge of any pending adoption, juvenile court, marriage dissolution, domestic relations, custody, or other similar proceeding affecting the proposed ward, the petition shall disclose the pending proceeding.

(g) If the petitioners have accepted or intend to accept physical care or custody of the child with intent to adopt, whether formed at the time of placement or formed subsequent to placement, the petitioners shall so state in the guardianship petition, whether or not an adoption petition has been filed.

(h) If the proposed ward is or becomes the subject of an adoption petition, the court shall order the guardianship petition consolidated with the adoption petition, and the consolidated case shall be heard and decided in the court in which the adoption is pending.

(i) If the proposed ward is or may be an Indian child, the petition shall state that fact.
ProbC 1513 – Investigation; filing of report and recommendation concerning proposed guardianship; contents of report; confidentiality; application of section

(a) Unless waived by the court, a court investigator, probation officer, or domestic relations investigator shall make an investigation and file with the court a report and recommendation concerning each proposed guardianship of the person or guardianship of the estate. Investigations where the proposed guardian is a relative shall be made by a court investigator. Investigations where the proposed guardian is a nonrelative shall be made by the county agency designated to investigate potential dependency. The report for the guardianship of the person shall include, but need not be limited to, an investigation and discussion of all of the following:

(1) A social history of the guardian.

(2) A social history of the proposed ward, including, to the extent feasible, an assessment of any identified developmental, emotional, psychological, or educational needs of the proposed ward and the capability of the petitioner to meet those needs.

(3) The relationship of the proposed ward to the guardian, including the duration and character of the relationship, where applicable, the circumstances whereby physical custody of the proposed ward was acquired by the guardian, and a statement of the proposed ward’s attitude concerning the proposed guardianship, unless the statement of the attitude is affected by the proposed ward’s developmental, physical, or emotional condition.

(4) The anticipated duration of the guardianship and the plans of both natural parents and the proposed guardian for the stable and permanent home for the child. The court may waive this requirement for cases involving relative guardians.

(b) If the proposed ward is or may be described by Section 300 of the Welfare and Institutions Code, the court may refer the matter to the local child welfare services agency to initiate an investigation of the referral pursuant to Sections 328 and 329 of the Welfare and Institutions Code and to report the findings of that investigation to the court. Pending completion of the investigation, the court may take any reasonable steps it deems appropriate to protect the child’s safety, including, but not limited to, appointment of a temporary guardian or issuance of a temporary restraining order. If dependency proceedings are initiated, the guardianship proceedings shall be stayed in accordance with Section 304 of the Welfare and Institutions Code. Nothing in this section shall affect the applicability of Section 16504 or 16506 of the Welfare and Institutions Code. If a dependency proceeding is not initiated, the probate court shall retain jurisdiction to hear the guardianship matter.
(c) Prior to ruling on the petition for guardianship, the court shall read and consider all reports submitted pursuant to this section, which shall be reflected in the minutes or stated on the record. Any person who reports to the court pursuant to this section may be called and examined by any party to the proceeding.

(d) All reports authorized by this section are confidential and shall only be made available to persons who have been served in the proceedings or their attorneys. The clerk of the court shall make provisions to limit access to the reports exclusively to persons entitled to receipt. The reports shall be made available to all parties entitled to receipt no less than three court days before the hearing on the guardianship petition.

(e) For the purpose of writing either report authorized by this section, the person making the investigation and report shall have access to the proposed ward's school records, probation records, and public and private social services records, and to an oral or written summary of the proposed ward's medical records and psychological records prepared by any physician, psychologist, or psychiatrist who made or who is maintaining those records. The physician, psychologist, or psychiatrist shall be available to clarify information regarding these records pursuant to the investigator's responsibility to gather and provide information for the court.

(f) This section does not apply to guardianships resulting from a permanency plan for a dependent child pursuant to Section 366.26 of the Welfare and Institutions Code.

(g) For purposes of this section, a “relative” means a person who is a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix “grand” or “great,” or the spouse of any of these persons, even after the marriage has been terminated by death or dissolution.

(h) In an Indian child custody proceeding, any person making an investigation and report shall consult with the Indian child's tribe and include in the report information provided by the tribe.

**ProbC 1600 – Majority, death, adoption, or emancipation of ward**

(a) A guardianship of the person or estate or both terminates when the ward attains majority or dies.

(b) A guardianship of the person terminates upon the adoption of the ward or upon the emancipation of the ward under Section 7002 of the Family Code.
ProbC 1601 – Court order; notice

Upon petition of the guardian, a parent, the ward, or, in the case of an Indian child custody proceeding, an Indian custodian or the ward's tribe, the court may make an order terminating the guardianship if the court determines that it is in the ward's best interest to terminate the guardianship. Notice of the hearing on the petition shall be given for the period and in the manner provided in Chapter 3 (commencing with Section 1460) of Part 1.

Law Enforcement & Protective Orders

EC 48264 – Arrest of truants

Temporary custody during school hours.

The attendance supervisor or his or her designee, a peace officer, a school administrator or his or her designee, or a probation officer may arrest or assume temporary custody, during school hours, of any minor subject to compulsory full-time education or to compulsory continuation education found away from his or her home and who is absent from school without valid excuse within the county, city, or city and county, or school district.

WIC 305 – Conditions allowing temporary custody without warrant

Any peace officer may, without a warrant, take into temporary custody a minor:

(a) When the officer has reasonable cause for believing that the minor is a person described in Section 300, and, in addition, that the minor has an immediate need for medical care, or the minor is in immediate danger of physical or sexual abuse, or the physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In cases in which the child is left unattended, the peace officer shall first attempt to contact the child's parent or guardian to determine if the parent or guardian is able to assume custody of the child. If the parent or guardian cannot be contacted, the peace officer shall notify a social worker in the county welfare department to assume custody of the child.

(b) Who is in a hospital and release of the minor to a parent poses an immediate danger to the child's health or safety.

(c) Who is a dependent child of the juvenile court, or concerning whom an order has been made under Section 319, when the officer has reasonable cause for believing that the minor has violated an order of the juvenile court or has left any placement ordered by the juvenile court.

(d) Who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care.
WIC 625 – Temporary custody; peace officer; warrant

A peace officer may, without a warrant, take into temporary custody a minor:

(a) Who is under the age of 18 years when such officer has reasonable cause for believing that such minor is a person described in Section 601 or 602, or

(b) Who is a ward of the juvenile court or concerning whom an order has been made under Section 636 or 702, when such officer has reasonable cause for believing that person has violated an order of the juvenile court or has escaped from any commitment ordered by the juvenile court, or

(c) Who is under the age of 18 years and who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care.

In any case where a minor is taken into temporary custody on the ground that there is reasonable cause for believing that such minor is a person described in Section 601 or 602, or that he has violated an order of the juvenile court or escaped from any commitment ordered by the juvenile court, the officer shall advise such minor that anything he says can be used against him and shall advise him of his constitutional rights, including his right to remain silent, his right to have counsel present during any interrogation, and his right to have counsel appointed if he is unable to afford counsel.

EC 48906 – Notification of parent, guardian or relative of release of pupil to peace officer; procedure for victims of suspected child abuse

When a principal or other school official releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165.6 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. In those cases, the school official shall provide the peace officer with the address and telephone number of the minor's parent or guardian. The peace officer shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that the minor is in custody and the place where he or she is being held. If the officer has a reasonable belief that the minor would be endangered by a disclosure of the place where the minor is being held, or that the disclosure would cause the custody of the minor to be disturbed, the officer may refuse to disclose the place where the minor is being held for a period not to exceed 24 hours. The officer shall,
however, inform the parent, guardian, or responsible relative whether the child requires and is receiving medical or other treatment. The juvenile court shall review any decision not to disclose the place where the minor is being held at a subsequent detention hearing.

**WIC 306 – Social workers and Indian tribes; power to perform probation officer functions**

(a) Any social worker in a county welfare department, or an Indian tribe that has entered into an agreement pursuant to Section 10553.1 while acting within the scope of his or her regular duties under the direction of the juvenile court and pursuant to subdivision (b) of Section 272, may do all of the following:

(1) Receive and maintain, pending investigation, temporary custody of a minor who is described in Section 300, and who has been delivered by a peace officer.

(2) Take into and maintain temporary custody of, without a warrant, a minor who has been declared a dependent child of the juvenile court under Section 300 or who the social worker has reasonable cause to believe is a person described in subdivision (b) or (g) of Section 300, and the social worker has reasonable cause to believe that the minor has an immediate need for medical care or is in immediate danger of physical or sexual abuse or the physical environment poses an immediate threat to the child's health or safety.

(b) Before taking a minor into custody, a social worker shall consider whether the child can remain safely in his or her residence. The consideration of whether the child can remain safely at home shall include, but not be limited to, the following factors:

(1) Whether there are any reasonable services available to the worker which, if provided to the minor's parent, guardian, caretaker, or to the minor, would eliminate the need to remove the minor from the custody of his or her parent, guardian, or caretaker.

(2) Whether a referral to public assistance pursuant to Chapter 2 (commencing with Section 11200) of Part 3, Chapter 7 (commencing with Section 14000) of Part 3, Chapter 1 (commencing with Section 17000) of Part 5, and Chapter 10 (commencing with Section 18900) of Part 6, of Division 9 would eliminate the need to take temporary custody of the minor. If those services are available they shall be utilized.

(3) Whether a nonoffending caretaker can provide for and protect the child from abuse and neglect and whether the alleged perpetrator voluntarily agrees to withdraw from the residence, withdraws from the residence, and is likely to remain withdrawn from the residence.
WIC 307.4 – Notice to parent or guardian; written statement of procedural rights and preliminary proceedings; failure to notify

(a) Any peace officer, probation officer, or social worker who takes into temporary custody pursuant to Sections 305 to 307, inclusive, a minor who comes within the description of Section 300 shall immediately inform, through the most efficient means available, the parent, guardian, or responsible relative, that the minor has been taken into protective custody and that a written statement is available which explains the parent's or guardian's procedural rights and the preliminary stages of the dependency investigation and hearing. The Judicial Council shall, in consultation with the County Welfare Directors Association of California, adopt a form for the written statement, which shall be in simple language and shall be printed and distributed by the county. The written statement shall be made available for distribution through all public schools, probation offices, and appropriate welfare offices. It shall include, but is not limited to, the following information:

(1) The conditions under which the minor will be released, hearings which may be required, and the means whereby further specific information about the minor's case and conditions of confinement may be obtained.

(2) The rights to counsel, privileges against self-incrimination, and rights to appeal possessed by the minor, and his or her parents, guardians, or responsible relative.

(b) If a good faith attempt was made at notification, the failure on the part of the peace officer, probation officer, or social worker to notify the parent or guardian that the written information required by subdivision (a) is available shall be considered to be due to circumstances beyond the control of the peace officer, probation officer, or social worker, and shall not be construed to permit a new defense to any juvenile or judicial proceeding or to interfere with any rights, procedures, or investigations accorded under any other law.

WIC 308 – Notice to parent or guardian; right to make telephone calls

(a) When a peace officer or social worker takes a minor into custody pursuant to this article, he or she shall take immediate steps to notify the minor's parent, guardian, or a responsible relative that the minor is in custody and that the child has been placed in a facility authorized by law to care for the child, and shall provide a telephone number at which the minor may be contacted. The confidentiality of the address of any licensed foster family home in which the child has been placed shall be maintained until the dispositional hearing, at which time the judge may authorize, upon a finding of good cause, the disclosure of the address. However, the court may order the release of the address of
the licensed foster family home to the minor's parent, guardian, or responsible relative upon notification of the licensed foster family home in cases where a petition to challenge jurisdiction or other motion to delay the dispositional hearing beyond 60 days after the hearing at which the minor was ordered removed or detained, pursuant to subdivision (b) of Section 352, is granted. Moreover, a foster parent may authorize the release of the address of the foster family home at any time during the placement. The county welfare department shall make a diligent and reasonable effort to ensure regular telephone contact between the parent and a child of any age, prior to the detention hearing, unless that contact would be detrimental to the child. The initial telephone contact shall take place as soon as practicable, but no later than five hours after the child is taken into custody.

(b) Immediately after being taken to a place of confinement pursuant to this article and, except where physically impossible, no later than one hour after he or she has been taken into custody, a minor 10 years of age or older shall be advised that he or she has the right to make at least two telephone calls from the place where he or she is being held, one call completed to his or her parent, guardian, or a responsible relative, and another call completed to an attorney. The calls shall be at public expense, if the calls are completed to telephone numbers within the local calling area, and in the presence of a public officer or employee. Any public officer or employee who willfully deprives a minor taken into custody of his or her right to make these telephone calls is guilty of a misdemeanor.

*FC 6218 – Protective order*

“Protective order” means an order that includes any of the following restraining orders, whether issued ex parte, after notice and hearing, or in a judgment:

(a) An order described in Section 6320 enjoining specific acts of abuse.

(b) An order described in Section 6321 excluding a person from a dwelling.

(c) An order described in Section 6322 enjoining other specified behavior.

*FC 6225 – Explicit statement of address not required*

A petition for an order described in this division is valid and the order is enforceable without explicitly stating the address of the petitioner or the petitioner's place of residence, school, employment, the place where the petitioner's child is provided child care services, or the child's school.
FC 6250 – Grounds for issuance (protective order)

A judicial officer may issue an ex parte emergency protective order where a law enforcement officer asserts reasonable grounds to believe any of the following:

(a) That a person is in immediate and present danger of domestic violence, based on the person's allegation of a recent incident of abuse or threat of abuse by the person against whom the order is sought.

(b) That a child is in immediate and present danger of abuse by a family or household member, based on an allegation of a recent incident of abuse or threat of abuse by the family or household member.

(c) That a child is in immediate and present danger of being abducted by a parent or relative, based on a reasonable belief that a person has an intent to abduct the child or flee with the child from the jurisdiction or based on an allegation of a recent threat to abduct the child or flee with the child from the jurisdiction.

(d) That an elder or dependent adult is in immediate and present danger of abuse as defined in Section 15610.07 of the Welfare and Institutions Code, based on an allegation of a recent incident of abuse or threat of abuse by the person against whom the order is sought, except that no emergency protective order shall be issued based solely on an allegation of financial abuse.

FC 6251 – Findings of court (emergency protective order)

An emergency protective order may be issued only if the judicial officer finds both of the following:

(a) That reasonable grounds have been asserted to believe that an immediate and present danger of domestic violence exists, that a child is in immediate and present danger of abuse or abduction, or that an elder or dependent adult is in immediate and present danger of abuse as defined in Section 15610.07 of the Welfare and Institutions Code.

(b) That an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, or abuse of an elder or dependent adult.

FC 6252 – Inclusion of other orders

An emergency protective order may include any of the following specific orders, as appropriate:

(a) A protective order, as defined in Section 6218.

(b) An order determining the temporary care and control of any minor child of the endangered person and the person against whom the order is sought.
(c) An order authorized in Section 213.5 of the Welfare and Institutions Code, including provisions placing the temporary care and control of the endangered child and any other minor children in the family or household with the parent or guardian of the endangered child who is not a restrained party.

(d) An order determining the temporary care and control of any minor child who is in danger of being abducted.

(e) An order authorized by Section 15657.03 of the Welfare and Institutions Code.

**FC 6253 – Contents of orders**

An emergency protective order shall include all of the following:

(a) A statement of the grounds asserted for the order.

(b) The date and time the order expires.

(c) The address of the superior court for the district or county in which the endangered person or child in danger of being abducted resides.

(d) The following statements, which shall be printed in English and Spanish:

1. “To the Protected Person: This order will last only until the date and time noted above. If you wish to seek continuing protection, you will have to apply for an order from the court, at the address noted above. You may seek the advice of an attorney as to any matter connected with your application for any future court orders. The attorney should be consulted promptly so that the attorney may assist you in making your application.”

2. “To the Restrained Person: This order will last until the date and time noted above. The protected party may, however, obtain a more permanent restraining order from the court. You may seek the advice of an attorney as to any matter connected with the application. The attorney should be consulted promptly so that the attorney may assist you in responding to the application.”

(e) In the case of an endangered child, the following statement, which shall be printed in English and Spanish: “This order will last only until the date and time noted above. You may apply for a more permanent restraining order under Section 213.5 of the Welfare and Institutions Code from the court at the address noted above. You may seek the advice of an attorney in connection with the application for a more permanent restraining order.”

(f) In the case of a child in danger of being abducted, the following statement, which shall be printed in English and Spanish: “This order will last only until the date and time noted above. You may apply for a child custody order from the court, at the address noted above. You
may seek the advice of an attorney as to any matter connected with the application. The attorney should be consulted promptly so that the attorney may assist you in responding to the application.”

**FC 6256 – Expiration of orders**

An emergency protective order expires at the earlier of the following times:

(a) The close of judicial business on the fifth court day following the day of its issuance.

(b) The seventh calendar day following the day of its issuance.

**FC 6383 – Service of order; verification; verbal notice; report; civil liability**

(a) A temporary restraining order or emergency protective order issued under this part shall, on request of the petitioner, be served on the respondent, whether or not the respondent has been taken into custody, by a law enforcement officer who is present at the scene of reported domestic violence involving the parties to the proceeding.

(b) The petitioner shall provide the officer with an endorsed copy of the order and a proof of service that the officer shall complete and transmit to the issuing court.

(c) It is a rebuttable presumption that the proof of service was signed on the date of service.

(d) Upon receiving information at the scene of a domestic violence incident that a protective order has been issued under this part, or that a person who has been taken into custody is the respondent to that order, if the protected person cannot produce an endorsed copy of the order, a law enforcement officer shall immediately inquire of the Department of Justice Domestic Violence Restraining Order System to verify the existence of the order.

(e) If the law enforcement officer determines that a protective order has been issued, but not served, the officer shall immediately notify the respondent of the terms of the order and where a written copy of the order can be obtained and the officer shall, at that time, also enforce the order. The law enforcement officer's verbal notice of the terms of the order shall constitute service of the order and is sufficient notice for the purposes of this section and for the purposes of Sections 273.6 and 29825 of the Penal Code.

(f) If a report is required under Section 13730 of the Penal Code, or if no report is required, then in the daily incident log, the officer shall provide the name and assignment of the officer notifying the respondent pursuant to subdivision (e) and the case number of the order.
(g) Upon service of the order outside of the court, a law enforcement officer shall advise the respondent to go to the local court to obtain a copy of the order containing the full terms and conditions of the order.

(h) (I) There shall be no civil liability on the part of, and no cause of action for, false arrest or false imprisonment against a peace officer who makes an arrest pursuant to a protective or restraining order that is regular upon its face, if the peace officer, in making the arrest, acts in good faith and has reasonable cause to believe that the person against whom the order is issued has notice of the order and has committed an act in violation of the order.

(2) If there is more than one order issued and one of the orders is an emergency protective order that has precedence in enforcement pursuant to paragraph (I) of subdivision (c) of Section 136.2 of the Penal Code, the peace officer shall enforce the emergency protective order. If there is more than one order issued, none of the orders issued is an emergency protective order that has precedence in enforcement, and one of the orders issued is a no-contact order, as described in Section 6320, the peace officer shall enforce the no-contact order. If there is more than one civil order regarding the same parties and neither an emergency protective order that has precedence in enforcement nor a no-contact order has been issued, the peace officer shall enforce the order that was issued last. If there are both civil and criminal orders regarding the same parties and neither an emergency protective order that has precedence in enforcement nor a no-contact order has been issued, the peace officer shall enforce the criminal order issued last, subject to the provisions of subdivisions (h) and (i) of Section 136.2 of the Penal Code. Nothing in this section shall be deemed to exonerate a peace officer from liability for the unreasonable use of force in the enforcement of the order. The immunities afforded by this section shall not affect the availability of any other immunity that may apply, including, but not limited to, Sections 820.2 and 820.4 of the Government Code.

PC 136.2 – Protective orders available in response to good cause belief of harm to, intimidation of, or dissuasion of victim or witness; hearings; findings and consent of law enforcement required; transmission of orders and modified orders; effect of emergency protective orders; restrictions on firearms possession; forms; electronic monitoring

(a) Upon a good cause belief that harm to, or intimidation or dissuasion of, a victim or witness has occurred or is reasonably likely to occur, a court with jurisdiction over a criminal matter may issue orders, including, but not limited to, the following:

(1) An order issued pursuant to Section 6320 of the Family Code.
(2) An order that a defendant shall not violate any provision of Section 136.1.

(3) An order that a person before the court other than a defendant, including, but not limited to, a subpoenaed witness or other person entering the courtroom of the court, shall not violate any provisions of Section 136.1.

(4) An order that a person described in this section shall have no communication whatsoever with a specified witness or a victim, except through an attorney under reasonable restrictions that the court may impose.

(5) An order calling for a hearing to determine if an order as described in paragraphs (1) to (4), inclusive, should be issued.

(6) (A) An order that a particular law enforcement agency within the jurisdiction of the court provide protection for a victim or a witness, or both, or for immediate family members of a victim or a witness who reside in the same household as the victim or witness or within reasonable proximity of the victim's or witness' household, as determined by the court. The order shall not be made without the consent of the law enforcement agency except for limited and specified periods of time and upon an express finding by the court of a clear and present danger of harm to the victim or witness or immediate family members of the victim or witness.

(B) For purposes of this paragraph, "immediate family members" include the spouse, children, or parents of the victim or witness.

(7) (A) An order protecting victims of violent crime from all contact by the defendant, or contact, with the intent to annoy, harass, threaten, or commit acts of violence, by the defendant. The court or its designee shall transmit orders made under this paragraph to law enforcement personnel within one business day of the issuance, modification, extension, or termination of the order, pursuant to subdivision (a) of Section 6380 of the Family Code. It is the responsibility of the court to transmit the modification, extension, or termination orders made under this paragraph to the same agency that entered the original protective order into the Domestic Violence Restraining Order System.

(B) (i) If a court does not issue an order pursuant to subparagraph (A) in a case in which the defendant is charged with a crime of domestic violence as defined in Section 13700, the court on its own motion shall consider issuing a protective order upon a good cause belief that harm to, or intimidation or dissuasion of, a victim or witness has occurred or is reasonably likely to occur, that provides as follows:

(I) The defendant shall not own, possess, purchase, receive, or attempt to purchase or receive, a firearm while the protective order is in effect.
(II) The defendant shall relinquish any firearms that he or she owns or possesses pursuant to Section 527.9 of the Code of Civil Procedure.

(ii) Every person who owns, possesses, purchases, or receives, or attempts to purchase or receive, a firearm while this protective order is in effect is punishable pursuant to Section 29825.

(C) An order issued, modified, extended, or terminated by a court pursuant to this paragraph shall be issued on forms adopted by the Judicial Council of California and that have been approved by the Department of Justice pursuant to subdivision (i) of Section 6380 of the Family Code. However, the fact that an order issued by a court pursuant to this section was not issued on forms adopted by the Judicial Council and approved by the Department of Justice shall not, in and of itself, make the order unenforceable.

(D) A protective order issued under this paragraph may require the defendant to be placed on electronic monitoring if the local government, with the concurrence of the county sheriff or the chief probation officer with jurisdiction, adopts a policy to authorize electronic monitoring of defendants and specifies the agency with jurisdiction for this purpose. If the court determines that the defendant has the ability to pay for the monitoring program, the court shall order the defendant to pay for the monitoring. If the court determines that the defendant does not have the ability to pay for the electronic monitoring, the court may order electronic monitoring to be paid for by the local government that adopted the policy to authorize electronic monitoring. The duration of electronic monitoring shall not exceed one year from the date the order is issued. At no time shall the electronic monitoring be in place if the protective order is not in place.

(b) A person violating an order made pursuant to paragraphs (1) to (7), inclusive, of subdivision (a) may be punished for any substantive offense described in Section 136.1, or for a contempt of the court making the order. A finding of contempt shall not be a bar to prosecution for a violation of Section 136.1. However, a person so held in contempt shall be entitled to credit for punishment imposed therein against a sentence imposed upon conviction of an offense described in Section 136.1. A conviction or acquittal for a substantive offense under Section 136.1 shall be a bar to a subsequent punishment for contempt arising out of the same act.

(c) (1)(A) Notwithstanding subdivision (e), an emergency protective order issued pursuant to Chapter 2 (commencing with Section 6250) of Part 3 of Division 10 of the Family Code or Section 646.91 shall have precedence in enforcement over any other restraining or protective order, provided the emergency protective order meets all of the following requirements:
(i) The emergency protective order is issued to protect one or more individuals who are already protected persons under another restraining or protective order.

(ii) The emergency protective order restrains the individual who is the restrained person in the other restraining or protective order specified in subparagraph (A).

(iii) The provisions of the emergency protective order are more restrictive in relation to the restrained person than are the provisions of the other restraining or protective order specified in subparagraph (A).

(B) An emergency protective order that meets the requirements of paragraph (1) shall have precedence in enforcement over the provisions of any other restraining or protective order only with respect to those provisions of the emergency protective order that are more restrictive in relation to the restrained person.

(2) Except as described in paragraph (1), a no-contact order, as described in Section 6320 of the Family Code, shall have precedence in enforcement over any other restraining or protective order.

(d) (1) A person subject to a protective order issued under this section shall not own, possess, purchase, receive, or attempt to purchase or receive a firearm while the protective order is in effect.

(2) The court shall order a person subject to a protective order issued under this section to relinquish any firearms he or she owns or possesses pursuant to Section 527.9 of the Code of Civil Procedure.

(3) A person who owns, possesses, purchases or receives, or attempts to purchase or receive a firearm while the protective order is in effect is punishable pursuant to Section 29825.

(e) (1) In all cases where the defendant is charged with a crime of domestic violence, as defined in Section 13700, the court shall consider issuing the above-described orders on its own motion. All interested parties shall receive a copy of those orders. In order to facilitate this, the court's records of all criminal cases involving domestic violence shall be marked to clearly alert the court to this issue.

(2) In those cases in which a complaint, information, or indictment charging a crime of domestic violence, as defined in Section 13700, has been issued, except as described in subdivision (c), a restraining order or protective order against the defendant issued by the criminal court in that case has precedence in enforcement over a civil court order against the defendant.

(3) Custody and visitation with respect to the defendant and his or her minor children may be ordered by a family or juvenile court consistent with the protocol established pursuant to subdivision (f), but if ordered after a criminal protective order has been issued pursuant to this
section, the custody and visitation order shall make reference to, and, if there is not an emergency protective order that has precedence in enforcement pursuant to paragraph (1) of subdivision (c), or a no-contact order, as described in Section 6320 of the Family Code, acknowledge the precedence of enforcement of, an appropriate criminal protective order. On or before July 1, 2014, the Judicial Council shall modify the criminal and civil court forms consistent with this subdivision.

(f) On or before January 1, 2003, the Judicial Council shall promulgate a protocol, for adoption by each local court in substantially similar terms, to provide for the timely coordination of all orders against the same defendant and in favor of the same named victim or victims. The protocol shall include, but shall not be limited to, mechanisms for ensuring appropriate communication and information sharing between criminal, family, and juvenile courts concerning orders and cases that involve the same parties, and shall permit a family or juvenile court order to coexist with a criminal court protective order subject to the following conditions:

(1) An order that permits contact between the restrained person and his or her children shall provide for the safe exchange of the children and shall not contain language either printed or handwritten that violates a “no-contact order” issued by a criminal court.

(2) Safety of all parties shall be the courts’ paramount concern. The family or juvenile court shall specify the time, day, place, and manner of transfer of the child, as provided in Section 3100 of the Family Code.

(g) On or before January 1, 2003, the Judicial Council shall modify the criminal and civil court protective order forms consistent with this section.

(h) In any case in which a complaint, information, or indictment charging a crime of domestic violence, as defined in Section 13700, has been filed, the court may consider, in determining whether good cause exists to issue an order under paragraph (1) of subdivision (a), the underlying nature of the offense charged, and the information provided to the court pursuant to Section 273.75.

(i) (1) In all cases in which a criminal defendant has been convicted of a crime of domestic violence as defined in Section 13700, a violation of Section 261, 261.5, or 262, or any crime that requires the defendant to register pursuant to subdivision (c) of Section 290, the court, at the time of sentencing, shall consider issuing an order restraining the defendant from any contact with the victim. The order may be valid for up to 10 years, as determined by the court. This protective order may be issued by the court regardless of whether the defendant is sentenced to the state prison or a county jail, or whether
imposition of sentence is suspended and the defendant is placed on
probation. It is the intent of the Legislature in enacting this subdivision
that the duration of any restraining order issued by the court be based
upon the seriousness of the facts before the court, the probability of
future violations, and the safety of the victim and his or her immediate
family.

(2) An order under this subdivision may include provisions for
electronic monitoring if the local government, upon receiving the
concurrence of the county sheriff or the chief probation officer with
jurisdiction, adopts a policy authorizing electronic monitoring of
defendants and specifies the agency with jurisdiction for this purpose.
If the court determines that the defendant has the ability to pay for the
monitoring program, the court shall order the defendant to pay for the
monitoring. If the court determines that the defendant does not have
the ability to pay for the electronic monitoring, the court may order the
electronic monitoring to be paid for by the local government that
adopted the policy authorizing electronic monitoring. The duration of
the electronic monitoring shall not exceed one year from the date the
order is issued.

(j) For purposes of this section, "local government" means the county
that has jurisdiction over the protective order.

PC 836 – Arrest with and without warrant; citizen's arrest by
domestic victim; protective or restraining order; assault or battery
upon spouse, etc.; concealed weapon offense

(a) A peace officer may arrest a person in obedience to a warrant, or,
pursuant to the authority granted to him or her by Chapter 4.5
(commencing with Section 830) of Title 3 of Part 2, without a warrant,
may arrest a person whenever any of the following circumstances
occur:

(1) The officer has probable cause to believe that the person to be
arrested has committed a public offense in the officer's presence.

(2) The person arrested has committed a felony, although not in the
officer's presence.

(3) The officer has probable cause to believe that the person to be
arrested has committed a felony, whether or not a felony, in fact, has
been committed.

(b) Any time a peace officer is called out on a domestic violence call,
it shall be mandatory that the officer make a good faith effort to inform
the victim of his or her right to make a citizen's arrest. This
information shall include advising the victim how to safely execute the
arrest.
(c) (1) When a peace officer is responding to a call alleging a violation of a domestic violence protective or restraining order issued under Section 527.6 of the Code of Civil Procedure, the Family Code, Section 136.2, 646.91, or paragraph (2) of subdivision (a) of Section 1203.097 of this code, Section 213.5 or 15657.03 of the Welfare and Institutions Code, or of a domestic violence protective or restraining order issued by the court of another state, tribe, or territory and the peace officer has probable cause to believe that the person against whom the order is issued has notice of the order and has committed an act in violation of the order, the officer shall, consistent with subdivision (b) of Section 13701, make a lawful arrest of the person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting officer. The officer shall, as soon as possible after the arrest, confirm with the appropriate authorities or the Domestic Violence Protection Order Registry maintained pursuant to Section 6380 of the Family Code that a true copy of the protective order has been registered, unless the victim provides the officer with a copy of the protective order.

(2) The person against whom a protective order has been issued shall be deemed to have notice of the order if the victim presents to the officer proof of service of the order, the officer confirms with the appropriate authorities that a true copy of the proof of service is on file, or the person against whom the protective order was issued was present at the protective order hearing or was informed by a peace officer of the contents of the protective order.

(3) In situations where mutual protective orders have been issued under Division 10 (commencing with Section 6200) of the Family Code, liability for arrest under this subdivision applies only to those persons who are reasonably believed to have been the dominant aggressor. In those situations, prior to making an arrest under this subdivision, the peace officer shall make reasonable efforts to identify, and may arrest, the dominant aggressor involved in the incident. The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the dominant aggressor, an officer shall consider (A) the intent of the law to protect victims of domestic violence from continuing abuse, (B) the threats creating fear of physical injury, (C) the history of domestic violence between the persons involved, and (D) whether either person involved acted in self-defense.

(d) Notwithstanding paragraph (1) of subdivision (a), if a suspect commits an assault or battery upon a current or former spouse, fiancé, fiancée, a current or former cohabitant as defined in Section 6209 of the Family Code, a person with whom the suspect currently is having or has previously had an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243, a person with whom the suspect has parented a child, or is presumed to have
parented a child pursuant to the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), a child of the suspect, a child whose parentage by the suspect is the subject of an action under the Uniform Parentage Act, a child of a person in one of the above categories, any other person related to the suspect by consanguinity or affinity within the second degree, or any person who is 65 years of age or older and who is related to the suspect by blood or legal guardianship, a peace officer may arrest the suspect without a warrant where both of the following circumstances apply:

(1) The peace officer has probable cause to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(2) The peace officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(e) In addition to the authority to make an arrest without a warrant pursuant to paragraphs (1) and (3) of subdivision (a), a peace officer may, without a warrant, arrest a person for a violation of Section 25400 when all of the following apply:

(1) The officer has reasonable cause to believe that the person to be arrested has committed the violation of Section 25400.

(2) The violation of Section 25400 occurred within an airport, as defined in Section 21013 of the Public Utilities Code, in an area to which access is controlled by the inspection of persons and property.

(3) The peace officer makes the arrest as soon as reasonable cause arises to believe that the person to be arrested has committed the violation of Section 25400.
ENROLLMENT RELATED CODES

Definitions; Emancipated Minors

FC 6500 – Minor
A minor is an individual who is under 18 years of age. The period of minority is calculated from the first minute of the day on which the individual is born to the same minute of the corresponding day completing the period of minority.

FC 6501 – Adult
An adult is an individual who is 18 years of age or older.

FC 6502 – Transitional provisions
(a) The use of or reference to the words “age of majority,” “age of minority,” “adult,” “minor,” or words of similar intent in any instrument, order, transfer, or governmental communication made in this state:
   (1) Before March 4, 1972, makes reference to individuals 21 years of age and older, or younger than 21 years of age.
   (2) On or after March 4, 1972, makes reference to individuals 18 years of age and older, or younger than 18 years of age.
(b) Nothing in subdivision (a) or in Chapter 1748 of the Statutes of 1971 prevents amendment of any court order, will, trust, contract, transfer, or instrument to refer to the 18-year-old age of majority if the court order, will, trust, contract, transfer, or instrument satisfies all of the following conditions:
   (1) It was in existence on March 4, 1972.
   (2) It is subject to amendment by law, and amendment is allowable or not prohibited by its terms.
   (3) It is otherwise subject to the laws of this state.

FC 7002 – Emancipated minor; description
A person under the age of 18 years is an emancipated minor if any of the following conditions is satisfied:
(a) The person has entered into a valid marriage, whether or not the marriage has been dissolved.
(b) The person is on active duty with the armed forces of the United States.
(c) The person has received a declaration of emancipation pursuant to Section 7122.
FC 7050 – Purposes for which emancipated minors are considered an adult

Although considered an adult for many purposes, emancipated minors are still subject to compulsory education. A 1973 opinion of the California Attorney General found that female minor who are married, and therefore emancipated, are not exempted from compulsory education solely on the basis of their marital status.

An emancipated minor shall be considered as being an adult for the following purposes:

(a) The minor's right to support by the minor's parents.

(b) The right of the minor's parents to the minor's earnings and to control the minor.

(c) The application of Sections 300 and 601 of the Welfare and Institutions Code.

(d) Ending all vicarious or imputed liability of the minor's parents or guardian for the minor's torts. Nothing in this section affects any liability of a parent, guardian, spouse, or employer imposed by the Vehicle Code, or any vicarious liability that arises from an agency relationship.

(e) The minor's capacity to do any of the following:

(1) Consent to medical, dental, or psychiatric care, without parental consent, knowledge, or liability.

(2) Enter into a binding contract or give a delegation of power.

(3) Buy, sell, lease, encumber, exchange, or transfer an interest in real or personal property, including, but not limited to, shares of stock in a domestic or foreign corporation or a membership in a nonprofit corporation.

(4) Sue or be sued in the minor's own name.

(5) Compromise, settle, arbitrate, or otherwise adjust a claim, action, or proceeding by or against the minor.

(6) Make or revoke a will.

(7) Make a gift, outright or in trust.

(8) Convey or release contingent or expectant interests in property, including marital property rights and any right of survivorship incident to joint tenancy, and consent to a transfer, encumbrance, or gift of marital property.

(9) Exercise or release the minor's powers as donee of a power of appointment unless the creating instrument otherwise provides.

(10) Create for the minor's own benefit or for the benefit of others a revocable or irrevocable trust.

(11) Revoke a revocable trust.

(12) Elect to take under or against a will.
(13) Renounce or disclaim any interest acquired by testate or intestate succession or by inter vivos transfer, including exercise of the right to surrender the right to revoke a revocable trust.

(14) Make an election referred to in Section 13502 of, or an election and agreement referred to in Section 13503 of, the Probate Code.

(15) Establish the minor's own residence.

(16) Apply for a work permit pursuant to Section 49110 of the Education Code without the request of the minor's parents.

(17) Enroll in a school or college.

**FC 7120 – Petitions for declaration of emancipation; contents**

(a) A minor may petition the superior court of the county in which the minor resides or is temporarily domiciled for a declaration of emancipation.

(b) The petition shall set forth with specificity all of the following facts:

(1) The minor is at least 14 years of age.

(2) The minor willingly lives separate and apart from the minor's parents or guardian with the consent or acquiescence of the minor's parents or guardian.

(3) The minor is managing his or her own financial affairs. As evidence of this, the minor shall complete and attach a declaration of income and expenses as provided in Judicial Council form FL-150.

(4) The source of the minor's income is not derived from any activity declared to be a crime by the laws of this state or the laws of the United States.

**FC 7505 – Parental authority; termination**
The authority of a parent ceases on any of the following:

(a) The appointment, by a court, of a guardian of the person of the child.

(b) The marriage of the child.

(c) The child attaining the age of majority.
Admissions: Proof of Age

EC 48000 – Minimum age of admission to kindergarten or transitional kindergarten programs

(a) A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year if the child will have his or her fifth birthday on or before one of the following dates:

(1) December 2 of the 2011-12 school year.
(2) November 1 of the 2012-13 school year.
(3) October 1 of the 2013-14 school year.
(4) September 1 of the 2014-15 school year and each school year thereafter.

(b) The governing board of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:

(1) The governing board determines that the admittance is in the best interests of the child.

(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to subdivision (g) of Section 46300, a school district or charter school shall ensure the following:

(1) In the 2012-13 school year, a child who will have his or her fifth birthday between November 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.

(2) In the 2013-14 school year, a child who will have his or her fifth birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.

(3) In the 2014-15 school year and each school year thereafter, a child who will have his or her fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.

(d) For purposes of this section, “transitional kindergarten” means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

(e) A transitional kindergarten shall not be construed as a new program or higher level of service.
EC 48002 – Evidence of minimum age required to enter kindergarten or first grade

The parent or guardian of a child shall, prior to the admission of the child to the kindergarten or first grade of a school district, present proof to the authorities of the district evidencing that the child is of the minimum age fixed by law for admission thereto. The method of proof of age shall be prescribed by the governing board, and the evidence may be in the form of a certified copy of a birth record or a statement by the local registrar or a county recorder certifying the date of birth, or a baptism certificate duly attested, or a passport, or, when none of the foregoing is obtainable, an affidavit of the parent, guardian, or custodian of the minor, or any other appropriate means of proving the age of the child as prescribed by the governing board of the school district.

EC 48010 – Minimum age of admission to first grade

(a) A child shall be admitted to the first grade of an elementary school during the first month of a school year if the child will have his or her sixth birthday on or before one of the following dates:

(1) December 2 of the 2011-12 school year.
(2) November 1 of the 2012-13 school year.
(3) October 1 of the 2013-14 school year.
(4) September 1 of the 2014-15 school year and each school year thereafter.

(b) For good cause, the governing board of a school district may permit a child of proper age to be admitted to a class after the first school month of the school term.

EC 48011 – Admission upon completing kindergarten; grade placement of pupils coming from other districts

A child who, consistent with Section 48000, has been admitted to the kindergarten maintained by a private or a public school in California or any other state, and who has completed one school year therein, shall be admitted to the first grade of an elementary school unless the parent or guardian of the child and the school district agree that the child may continue in kindergarten for not more than an additional school year.

A child who has been lawfully admitted to a public school kindergarten or a private school kindergarten in California and who is judged by the administration of the school district, in accordance with rules and regulations adopted by the State Board of Education, to be ready for first-grade work may be admitted to the first grade at the discretion of the school administration of the district and with the
consent of the child's parent or guardian if the child is at least five years of age. When a child has been legally enrolled in a public school of another district within or out of the state, he or she may be admitted to school and placed in the grade of enrollment in the district of former attendance, at the discretion of the school administration of the district entered.

5 CCR 432 – Varieties of pupil records

(a) The principal of each school shall keep on file a record of enrollment and scholarship for each pupil currently enrolled in said school.

(b) Local school districts shall not compile any other pupil records except mandatory or permitted records as herein defined:

(1) "Mandatory Permanent Pupil Records" are those records which the schools have been directed to compile by California statute authorization or authorized administrative directive. Each school district shall maintain indefinitely all mandatory permanent pupil records or an exact copy thereof for every pupil who was enrolled in a school program within said district. The mandatory permanent pupil record or a copy thereof shall be forwarded by the sending district upon request of the public or private school in which the student has enrolled or intends to enroll. Such records shall include the following:

(A) Legal name of pupil.

(B) Date of birth.

(C) Method of verification of birth date.

(D) Sex of pupil.

(E) Place of birth.

(F) Name and address of parent of minor pupil.

1. Address of minor pupil if different than the above.

2. An annual verification of the name and address of the parent and the residence of the pupil.

(G) Entering and leaving date of each school year and for any summer session or other extra session.

(H) Subjects taken during each year, half-year, summer session, or quarter.

(I) If marks or credit are given, the mark or number of credits toward graduation allows for work taken.

(J) Verification of or exemption from required immunizations.

(K) Date of high school graduation or equivalent.
5 CCR § 432 Continued

(2) “Mandatory Interim Pupil Records” are those records which schools are required to compile and maintain for stipulated periods of time and are then destroyed as per California statute or regulation. Such records include:

(A) A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or record shall be accessible only to the legal parent or guardian or the eligible pupil, or a dependent adult pupil, or an adult pupil, or the custodian of records.

(B) Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver.

(C) Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge.

(D) Language training records.

(E) Progress slips and/or notices as required by Education Code Sections 49066 and 49067.

(F) Parental restrictions regarding access to directory information or related stipulations.

(G) Parent or adult pupil rejoinders to challenged records and to disciplinary action.

(H) Parental authorizations or prohibitions of pupil participation in specific programs.

(I) Results of standardized tests administered within the preceding three years.

(3) “Permitted Records” are those pupil records which districts may maintain for appropriate educational purposes. Such records may include:

(A) Objective counselor and/or teacher ratings.

(B) Standardized test results older than three years.

(C) Routine discipline data.

(D) Verified reports of relevant behavioral patterns.

(E) All disciplinary notices.

(F) Attendance records not covered in the Administrative Code Section 400.
**Immunization and Health Screening**

**EC 48216 — Immunization requirements and procedures; exclusion of pupils who have not been immunized**

(a) The county office of education or the governing board of the school district of attendance shall exclude any pupil who has not been immunized properly pursuant to Chapter 1 (commencing with Section 120325) of Part 2 of Division 105 of the Health and Safety Code.

(b) The governing board of the district shall notify the parent or guardian of the pupil that they have two weeks to supply evidence either that the pupil has been properly immunized, or that the pupil is exempted from the immunization requirement pursuant to Section 120365 or 120370 of the Health and Safety Code.

(c) The governing board of the district, in the notice, shall refer the parent or guardian of the pupil to the pupil's usual source of medical care to obtain the immunization, or if no usual source exists, either refer the parent or guardian to the county health department, or notify the parent or guardian that the immunizations will be administered at a school of the district.

**HSC 120335 — Unconditional admission; immunization requirement; documentation; governing authority specification of immunizing agents and manner administered**

(a) As used in this chapter, "governing authority" means the governing board of each school district or the authority of each other private or public institution responsible for the operation and control of the institution or the principal or administrator of each school or institution.

(b) The governing authority shall not unconditionally admit any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless, prior to his or her first admission to that institution, he or she has been fully immunized. The following are the diseases for which immunizations shall be documented:

1. Diphtheria.
2. Haemophilus influenzae type b.
3. Measles.
5. Pertussis (whooping cough).
6. Poliomyelitis.
7. Rubella.
HSC § 120335 Cont'd

(8) Tetanus.

(9) Hepatitis B.

(10) Varicella (chickenpox).

(11) Any other disease deemed appropriate by the department, taking into consideration the recommendations of the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services, the American Academy of Pediatrics, and the American Academy of Family Physicians.

(c) Notwithstanding subdivision (b), full immunization against hepatitis B shall not be a condition by which the governing authority shall admit or advance any pupil to the 7th grade level of any private or public elementary or secondary school.

(d) The governing authority shall not unconditionally admit or advance any pupil to the 7th grade level of any private or public elementary or secondary school unless the pupil has been fully immunized against pertussis, including all pertussis boosters appropriate for the pupil's age.

(e) The department may specify the immunizing agents that may be utilized and the manner in which immunizations are administered.

(f) This section shall become operative on July 1, 2012.

**HSC 120340 – Conditional admission to school**

A person who has not been fully immunized against one or more of the diseases listed in Section 120335 may be admitted by the governing authority on condition that within time periods designated by regulation of the department he or she presents evidence that he or she has been fully immunized against all of these diseases.

**17 CCR 6070 – School/child care facility immunization record (in part)**

(d) For pupils at kindergarten level and above transferring between school campuses within California or from a school in another state to a school in California, if the mandatory permanent pupil record or other immunization record has not been received at the time of entry to the new school, the governing authority of the school may admit the pupil for a period of up to 30 school days. If the mandatory permanent record or other immunization record has not arrived by the end of this period, the governing authority shall require the parent or guardian to present a written immunization record, as described in Section 6065, documenting that all currently due required immunizations have been received. If such a record is not presented, the pupil shall be excluded from further attendance until he or she comes into compliance with the immunization requirements, as
17 CCR § 6070 Cont’d

outlined in Sections 6020, 6035, and 6065.

(e) The governing authority shall see that the immunization record of each pupil admitted conditionally is reviewed every 30 days until that pupil has received all the required immunizations. Any immunizations received subsequent to conditional admission shall be entered in the pupil’s immunization record.

(f) For pupils who are being admitted or are advancing into the 7th through 12th grades beginning July 1, 2011, the governing authority shall record each pupil's Tdap dose, given or after the 7th birthday, on the supplemental sticker form Tdap (Pertussis Booster) Requirement [PM 286 S (01/11)]. This form is hereby incorporated by reference. The governing authority shall affix the PM 286 S (01/11) to the front of the pupil's California School Immunization Record, PM 286 (01/02).

**HSC 120341 – Foster child immunization record unavailable or missing; obtain records to ensure immunization**

(a) The governing authority shall admit a foster child, as defined in subdivision (a) of Section 48853.5 of the Education Code, whose immunization records are not available or are missing.

(b) This section shall not alter the obligation of the governing authority to obtain a foster child's immunization records pursuant to Section 48853.5 of the Education Code or to ensure the immunization of a foster child pursuant to this chapter.

**HSC 120345 – Sources for obtaining immunization**

The immunizations required by Chapter 1 (commencing with Section 120325, but excluding Section 120380) and required by Sections 120400, 120405, 120410, and 120415 may be obtained from any private or public source desired if the immunization is administered and records are made in accordance with regulations of the department.

**HSC 120360 – Exemptions; persons 18 years or older; individuals seeking admission to community college**

The requirements of Chapter 1 (commencing with Section 120325, but excluding Section 120380) and of Sections 120400, 120405, 120410, and 120415 shall not apply to any person 18 years of age or older, or to any person seeking admission to a community college.
Amended by AB 2109, signed into law in 2012, effective January 1, 2014. Parents have the right to opt out of the immunization requirement based on a personal belief. The amendments ensure that parents are provided adequate information regarding the value of vaccinations—both the benefits and the risks—for an individual child and the community prior to making that choice. A separate form will be utilized.

HSC 120365 – Exemptions; immunization contrary to beliefs; temporary exclusion upon exposure

(a) Immunization of a person shall not be required for admission to a school or other institution listed in Section 120335 if the parent or guardian of a minor, or the person seeking admission if an emancipated minor, files with the governing authority a letter or affidavit that documents which immunizations required by Section 120355 have been given and which immunizations have not been given on the basis that they are contrary to his or her beliefs.

(b) On and after January 1, 2014, a form prescribed by the State Department of Public Health shall accompany the letter or affidavit filed pursuant to subdivision (a). The form shall include both of the following:

1. A signed attestation from the health care practitioner that indicates that the health care practitioner provided the parent or guardian of the person who is subject to the immunization requirements of this chapter, the adult who has assumed responsibility for the care and custody of the person, or the person if an emancipated minor, with information regarding the benefits and risks of the immunization and the health risks of the communicable diseases listed in Section 120335 to the person and to the community. This attestation shall be signed not more than six months before the date when the person first becomes subject to the immunization requirement for which exemption is being sought.

2. A written statement signed by the parent or guardian of the person who is subject to the immunization requirements of this chapter, the adult who has assumed responsibility for the care and custody of the person, or the person if an emancipated minor, that indicates that the signer has received the information provided by the health care practitioner pursuant to paragraph (1). This statement shall be signed not more than six months before the date when the person first becomes subject to the immunization requirements as a condition of admittance to a school or institution pursuant to Section 120335.

(c) The following shall be accepted in lieu of the original form:

1. A photocopy of the signed form.

2. A letter signed by a health care practitioner that includes all information and attestations included on the form.

(d) Issuance and revision of the form shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).
(e) When there is good cause to believe that the person has been exposed to one of the communicable diseases listed in subdivision (a) of Section 120325, that person may be temporarily excluded from the school or institution until the local health officer is satisfied that the person is no longer at risk of developing the disease.

(f) For purposes of this section, “health care practitioner” means any of the following:

1. A physician and surgeon, licensed pursuant to Section 2050 of the Business and Professions Code.

2. A nurse practitioner who is authorized to furnish drugs pursuant to Section 2836.1 of the Business and Professions Code.

3. A physician assistant who is authorized to administer or provide medication pursuant to Section 3502.1 of the Business and Professions Code.

4. An osteopathic physician and surgeon, as defined in the Osteopathic Initiative Act.

5. A naturopathic doctor who is authorized to furnish or order drugs under a physician and surgeon's supervision pursuant to Section 3640.5 of the Business and Professions Code.

6. A credentialed school nurse, as described in Section 49426 of the Education Code.

**HSC 120370 – Exemptions; physical condition or medical circumstances rendering immunization unsafe; statement of physician**

If the parent or guardian files with the governing authority a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances that contraindicate immunization, that person shall be exempt from the requirements of Chapter 1 (commencing with Section 120325, but excluding Section 120380) and Sections 120400, 120405, 120410, and 120415 to the extent indicated by the physician's statement.

**HSC 120375 – Documentary proof of entrant's status; recording; review of conditional admissions; prohibiting attendance; report on new entrants; access to determine deficiencies; cooperation with county health officer; authority to administer immunizations**

(a) The governing authority of each school or institution included in Section 120335 shall require documentary proof of each entrant's immunization status. The governing authority shall record the
immunizations of each new entrant in the entrant's permanent enrollment and scholarship record on a form provided by the department. The immunization record of each new entrant admitted conditionally shall be reviewed periodically by the governing authority to ensure that within the time periods designated by regulation of the department he or she has been fully immunized against all of the diseases listed in Section 120335, and immunizations received subsequent to entry shall be added to the pupil's immunization record.

(b) The governing authority of each school or institution included in Section 120335 shall prohibit from further attendance any pupil admitted conditionally who failed to obtain the required immunizations within the time limits allowed in the regulations of the department, unless the pupil is exempted under Section 120365 or 120370, until that pupil has been fully immunized against all of the diseases listed in Section 120335.

(c) The governing authority shall file a written report on the immunization status of new entrants to the school or institution under their jurisdiction with the department and the local health department at times and on forms prescribed by the department. As provided in paragraph (4) of subdivision (a) of Section 49076 of the Education Code, the local health department shall have access to the complete health information as it relates to immunization of each student in the schools or other institutions listed in Section 120335 in order to determine immunization deficiencies.

(d) The governing authority shall cooperate with the county health officer in carrying out programs for the immunization of persons applying for admission to any school or institution under its jurisdiction. The governing board of any school district may use funds, property, and personnel of the district for that purpose. The governing authority of any school or other institution may permit any licensed physician or any qualified registered nurse as provided in Section 2727.3 of the Business and Professions Code to administer immunizing agents to any person seeking admission to any school or institution under its jurisdiction.

**HSC 124085 – Certificate of receipt; health screening and evaluation services; waiver by parent or guardian**

On and after July 1, 1976, each child eligible for services under this article shall, within 90 days after entrance into the first grade, provide a certificate approved by the department to the school where the child is to enroll documenting that within the prior 18 months the child has received the appropriate health screening and evaluation services specified in Section 124040. A waiver signed by the child's parents or guardian indicating that they do not want or are unable to obtain the
health screening and evaluation services for their children shall be accepted by the school in lieu of the certificate. If the waiver indicates that the parent or guardian was unable to obtain the services for the child, then the reasons why should be included in the waiver.

**HSC 124105 – Health screening; school districts; exclusion of enrolled pupils from school; short title; legislative intent**

(a) This section shall be known and may be cited as the "Hughes Children's Health Enforcement Act."

(b) The Legislature recognizes the importance of health to learning and to a successful academic career. The Legislature also recognizes the important role of schools in ensuring the health of pupils through health education and the maintenance of minimal health standards among the pupil population. Therefore, it is the intent of the Legislature that schools ensure that pupils receive a health screening before the end of the first grade.

(c) The governing board of each school district shall exclude from school, for not more than five days, any first grade pupil who has not provided either a certificate or a waiver, as specified in Section 124085, on or before the 90th day after the pupil's entrance into the first grade. The exclusion shall commence with the 91st calendar day after the pupil's entrance into the first grade, unless school is not in session that day, then the exclusion shall commence on the next succeeding school day. A child shall not be excluded under this section if the pupil's parent or guardian provides to the district either a certificate or a waiver as specified in Section 124085.

(d) The governing board of a school district may exempt any pupil from the exclusion described in subdivision (c) if, at least twice between the first day and the 90th day after the pupil's entrance into the first grade, the district has contacted the pupil's parent or guardian and the parent or guardian refuses to provide either a certificate or a waiver as specified in Section 124085. The number of exemptions from exclusion granted by a school district pursuant to this subdivision may not exceed 5 percent of a school district's first grade enrollment. It is the intent of the Legislature that exemptions from exclusion be used in extraordinary circumstances, including, but not limited to, family situations of great dysfunction or disruption, including substance abuse by parents or guardians, child abuse, or child neglect.

(e) It is the intent of the Legislature that, upon a pupil's enrollment in kindergarten or first grade, the governing board of the school district notify the pupil's parent or guardian of the obligation to comply with Section 124085 and of the availability for low-income children of free health screening for up to 18 months prior to entry.
into first grade through the Child Health Disabilities Prevention Program.

(f) It is the intent of the Legislature that school districts provide information to parents regarding the requirements of Section 124085 within the notification of immunization requirements. Moreover, the Legislature intends that the information sent to parents encourage parents to obtain health screenings simultaneously with immunizations.

EC 49452.8 – Physical examinations; oral health assessment (in part)

(a) A pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, no later than May 31 of the school year, shall present proof of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional operating within his or her scope of practice, that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil.

Name and Gender Changes

CCP 1275 – Jurisdiction

Applications for change of names must be determined by the Superior Courts.

CCP 1276 – Application or petition; venue; contents

(a) All applications for change of names shall be made to the superior court of the county where the person whose name is proposed to be changed resides, except as specified in subdivision (c), either (1) by petition signed by the person or, if the person is under 18 years of age, either by one of the person's parents, or by any guardian of the person, or if both parents are dead and there is no guardian of the person, then by some near relative or friend of the person or (2) as provided in Section 7638 of the Family Code.

The petition or pleading shall specify the place of birth and residence of the person, his or her present name, the name proposed, and the reason for the change of name.

(b) In a proceeding for a change of name commenced by the filing of a petition, if the person whose name is to be changed is under 18 years of age, the petition shall, if neither parent of the person has signed the petition, name, as far as known to the person proposing the name change, the parents of the person and their place of residence, if living, or if neither parent is living, near relatives of the person, and their place of residence.
(c) In a proceeding for a change of name commenced by the filing of a petition, if the person whose name is proposed to be changed is under 18 years of age and the petition is signed by only one parent, the petition shall specify the address, if known, of the other parent if living. If the petition is signed by a guardian, the petition shall specify the name and address, if known, of the parent or parents, if living, or the grandparents, if the addresses of both parents are unknown or if both parents are deceased, of the person whose name is proposed to be changed.

(d) In a proceeding for a change of name commenced by the filing of a petition, if the person whose name is proposed to be changed is 12 years of age or older, has been relinquished to an adoption agency by his or her parent or parents, and has not been legally adopted, the petition shall be signed by the person and the adoption agency to which the person was relinquished. The near relatives of the person and their place of residence shall not be included in the petition unless they are known to the person whose name is proposed to be changed.

(e) All petitions for the change of the name of a minor submitted by a guardian appointed by the juvenile court or the probate court shall be made in the appointing court.

(f) If the petition is signed by a guardian, the petition shall specify relevant information regarding the guardianship, the likelihood that the child will remain under the guardian's care until the child reaches the age of majority, and information suggesting that the child will not likely be returned to the custody of his or her parents.

**HSC 103425 – Petition for recognition of change of gender; order for new birth certificate**

(a) Whenever a person has undergone clinically appropriate treatment for the purpose of gender transition, the person may file a petition with the superior court in any county seeking a judgment recognizing the change of gender.

(b) If requested, the judgment shall include an order that a new birth certificate be prepared for the person reflecting the change of gender and any change of name accomplished by an order of a court of this state, another state, the District of Columbia, or any territory of the United States.

**HSC 103426 – New birth certificates issued without court order; affidavit of gender transition treatment; fees; name change**

The State Registrar shall issue a new birth certificate reflecting a change of sex without a court order for any person born in this state who has undergone clinically appropriate treatment for the purpose of
gender transition and submits directly to the State Registrar the affidavit described in subdivision (a) of Section 103430 that includes the signature and physician license number of a licensed physician. Upon receipt of the documentation and the fee prescribed by Section 103725, the State Registrar shall establish a new birth certificate reflecting the person's correct sex and any change in name, if accompanied by a court order for a change of name.

**HSC 103430 – Affidavit of physician; clinical treatment for gender transition; copy of court order changing name; hearing; filing of decree; form and contents of certificate**

(a) The petition shall be accompanied by an affidavit of a physician attesting that the person has undergone clinically appropriate treatment for the purpose of gender transition, based on contemporary medical standards, and a certified copy of the court order changing the applicant's name, if applicable. The physician's affidavit shall be accepted as conclusive proof of gender change if it contains substantially the following language: "I, (physician's full name), (physician's medical license or certificate number), am a licensed physician in (jurisdiction). I attest that (name of petitioner) has undergone clinically appropriate treatment for the purpose of gender transition to (male or female). I declare that the foregoing is true and correct to the best of my knowledge."

(b) The petition shall be heard at the time appointed by the court. At the hearing, the court may examine on oath the petitioner, and any other person having knowledge of facts relevant to the application. At the conclusion of the hearing the court shall grant the petition if the court determines that the physician's affidavit shows that the person has undergone clinically appropriate treatment for the purpose of gender transition.

(c) If the judgment includes an order for a new birth certificate and if the petitioner was born in this state, a certified copy of the decree of the court ordering the new birth certificate, shall, within 30 days from the date of the decree, be filed with the State Registrar. Upon receipt thereof together with the fee prescribed by Section 103725, the State Registrar shall establish a new birth certificate for the applicant.

(d) The new birth certificate shall indicate the sex of the registrant as specified in the judgment of the court and shall reflect any change of name specified in the application if accompanied by a court order, as prescribed by Section 103425. No reference shall be made in the new birth certificate, nor shall its form in any way indicate, that it is not the original birth certificate of the registrant.
HSC 103435 – Petition for change of name, recognition of change in gender and issuance of new birth certificate; procedure

In lieu of separate proceedings, a single petition may be filed with the superior court to change the petitioner's name and recognize the change to petitioner's gender and, if requested, to order the issuance of a new birth certificate. With respect to such a petition, the court shall follow the procedure set forth in Title 8 (commencing with Section 1275) of Part III of the Code of Civil Procedure; however, the order to show cause shall not include the petition to recognize the change of gender. A certified copy of the decree of the court issued pursuant to this section shall, within 30 days, be filed with both the Secretary of State and, if the judgment includes an order for a new birth certificate and if the petitioner was born in this state, the State Registrar. Upon its receipt, the State Registrar shall establish a new birth certificate as provided in this article.

HSC 103440 – New birth certificates; effect; inspection; filing; availability of information

The new birth certificate shall supplant any birth certificate previously registered for the applicant and shall be the only birth certificate open to public inspection. The application and supporting affidavit shall be filed with the original record of birth, that shall remain as a part of the records of the State Registrar. All records and information specified in this article, other than the newly issued birth certificate, shall be available only upon written request of the registrant or an order of a court of record.

When a new birth certificate is established under this article, the State Registrar shall transmit copies of the newly established birth certificate for filing to the local registrar and the county recorder whose records contain copies of the original certificate, who shall forward the copies of the original certificate to the State Registrar for filing with the original certificate, if it is practical for him or her to do so. If it is impractical for him or her to forward the copy to the State Registrar, he or she shall effectually seal a cover over the copy of the original certificate in a manner as not to deface or destroy the copy and forward a verified statement of his or her action to the State Registrar. Thereafter the information contained in the record shall be available only upon written request of the registrant or on order of a court of record.

Pupil Fees

5 CCR 350 – Fees not permitted

A pupil enrolled in a school shall not be required to pay any fee, deposit, or other charge not specifically authorized by law.
EC 49010 – Definitions (pupil fees)

For purposes of this article, the following terms have the following meanings:

(a) “Educational activity” means an activity offered by a school, school district, charter school, or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

(b) “Pupil fee” means a fee, deposit, or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in Hartzell v. Connell (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment.

3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

EC 49011 – Prohibition on pupil fee for participation in an educational activity; voluntary donations; application to public schools; interpretation

(a) A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

(b) All of the following requirements apply to the prohibition identified in subdivision (a):

1. All supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge.

2. A fee waiver policy shall not make a pupil fee permissible.

3. School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
EC § 49011 Continued

(4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil’s parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil’s parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

(c) This article shall not be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, schools, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

(d) This article applies to all public schools, including, but not limited to, charter schools and alternative schools.

(e) This article is declarative of existing law and shall not be interpreted to prohibit the imposition of a fee, deposit, or other charge otherwise allowed by law.

EC 49012 – Guidance on imposition of pupil fees

(a) Commencing with the 2014-15 fiscal year, and every three years thereafter, the department shall develop and distribute guidance for county superintendents of schools, district superintendents, and charter school administrators regarding the imposition of pupil fees for participation in educational activities in public schools. The department shall post the guidance on the department's Internet Web site.

(b) The guidance developed pursuant to subdivision (a) shall not constitute a regulation subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

EC 49013 – Complaint of noncompliance; anonymous filing; appeal; remedy; information provided; establishment of local policies and procedures

(a) A complaint of noncompliance with the requirements of this article may be filed with the principal of a school under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(b) A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article.
(c) A complainant not satisfied with the decision of a public school may appeal the decision to the department and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

(d) If a public school finds merit in a complaint, or the department finds merit in an appeal, the public school shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the public school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

(e) Information regarding the requirements of this article shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.

(f) Public schools shall establish local policies and procedures to implement the provisions of this section on or before March 1, 2013.

**Course Credits**

Distances must have a system in place to issue and accept full or partial credits for all students.

**EC 48645.5 – Acceptance of coursework**

Each public school district and county office of education shall accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. The coursework shall be transferred by means of the standard state transcript. If a pupil completes the graduation requirements of his or her school district of residence while being detained, the school district of residence shall issue to the pupil a diploma from the school the pupil last attended before detention or in the alternative, the county superintendent of schools may issue the diploma.

**EC 49069.5 – Foster care pupils; transfers of pupils and records; effect of absences due to change of placement or court-ordered activity on grades**

(a) The Legislature finds and declares that the mobility of pupils in foster care often disrupts their educational experience. The Legislature also finds that efficient transfer procedures and transfer of pupil records is a critical factor in the swift placement of foster children in educational settings.

(b) The proper and timely transfer between schools of pupils in foster care is the responsibility of both the local educational agency and the county placing agency.
(c) As soon as the county placing agency becomes aware of the need to transfer a pupil in foster care out of his or her current school, the county placing agency shall contact the appropriate person at the local educational agency of the pupil. The county placing agency shall notify the local educational agency of the date that the pupil will be leaving the school and request that the pupil be transferred out.

(d) Upon receiving a transfer request from a county placing agency, the local educational agency shall, within two business days, transfer the pupil out of school and deliver the educational information and records of the pupil to the next educational placement.

(e) As part of the transfer process described under subdivisions (c) and (d), the local educational agency shall compile the complete educational record of the pupil including a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the pupil’s plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794 et seq.) or individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

(f) The local educational agency shall assign the duties listed in this section to a person competent to handle the transfer procedure and aware of the specific educational recordkeeping needs of homeless, foster, and other transient children who transfer between schools.

(g) The local educational agency shall ensure that if the pupil in foster care is absent from school due to a decision to change the placement of a pupil made by a court or placing agency, the grades and credits of the pupil will be calculated as of the date the pupil left school, and no lowering of grades will occur as a result of the absence of the pupil under these circumstances.

(h) The local educational agency shall ensure that if the pupil in foster care is absent from school due to a verified court appearance or related court ordered activity, no lowering of his or her grades will occur as a result of the absence of the pupil under these circumstances.

(i) For the purposes of this section, “pupil in foster care” means any child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code, is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, or has been removed from his or her home and is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code.
EC 51225.2 – Pupil in foster care defined; acceptance of coursework completed; credits; retaking a course

(a) For purposes of this section, “pupil in foster care” means any child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code, is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, or has been removed from his or her home and is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code.

(b) Notwithstanding any other law, a school district and county office of education shall accept coursework satisfactorily completed by a pupil in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for the coursework completed.

(c) The credits accepted pursuant to subdivision (b) shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, or nonpublic, nonsectarian school or agency.

(d) A school district or county office of education shall not require a pupil in foster care to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the school district or county office of education shall not require the pupil to retake the portion of the course the pupil completed unless the school district or county office of education, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the pupil in foster care shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course.

(e) A pupil in foster care shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.
RESIDENCY RELATED CODES & OTHER METHODS OF ENROLLMENT

Establishment of Residency

GC 243 – Residence
Every person has, in law, a residence.

GC 244 – Determination of place of residence
In determining the place of residence the following rules shall be observed:
(a) It is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he or she returns in seasons of repose.
(b) There can only be one residence.
(c) A residence cannot be lost until another is gained.
(d) The residence of the parent with whom an unmarried minor child maintains his or her place of abode is the residence of such unmarried minor child.
(e) The residence of an unmarried minor who has a parent living cannot be changed by his or her own act.
(f) The residence can be changed only by the union of act and intent.
(g) A married person shall have the right to retain his or her legal residence in the State of California notwithstanding the legal residence or domicile of his or her spouse.

WIC 17.1 – Residence of minor
Unless otherwise provided under the provisions of this code, to the extent not in conflict with federal law, the residence of a minor person shall be determined by the following rules:
(a) The residence of the parent with whom a child maintains his or her place of abode or the residence of any individual who has been appointed legal guardian or the individual who has been given the care or custody by a court of competent jurisdiction, determines the residence of the child.
(b) Wherever in this section it is provided that the residence of a child is determined by the residence of the person who has custody, “custody” means the legal right to custody of the child unless that right is held jointly by two or more persons, in which case “custody” means the physical custody of the child by one of the persons sharing the right to custody.
(c) The residence of a foundling shall be deemed to be that of the county in which the child is found.

(d) If the residence of the child is not determined under (a), (b), (c) or (e) hereof, the county in which the child is living shall be deemed the county of residence, if and when the child has had a physical presence in the county for one year.

(e) If the child has been declared permanently free from the custody and control of his or her parents, his or her residence is the county in which the court issuing the order is situated.

EC 35160.5 – Adoption of rules and regulations relating to specified policies (open enrollment policy...in part)

(b) (1) On or before July 1, 1994, the governing board of each school district, as a condition for the receipt of school apportionments from the state school fund, shall adopt rules and regulations establishing a policy of open enrollment within the district for residents of the district. This requirement does not apply to a school district that has only one school or a school district with schools that do not serve any of the same grade levels.

(2) The policy shall include all of the following elements:

(A) It shall provide that the parent or guardian of each schoolage child who is a resident in the district may select the schools the child shall attend, irrespective of the particular locations of his or her residence within the district, except that school districts shall retain the authority to maintain appropriate racial and ethnic balances among their respective schools at the school districts' discretion or as specified in applicable court-ordered or voluntary desegregation plans.

(B) It shall include a selection policy for a school that receives requests for admission in excess of the capacity of the school that ensures that selection of pupils to enroll in the school is made through a random, unbiased process that prohibits an evaluation of whether a pupil should be enrolled based upon his or her academic or athletic performance. The governing board of a school district shall calculate the capacity of the schools in the district for purposes of this subdivision in a nonarbitrary manner using pupil enrollment and available space. However, school districts may employ existing entrance criteria for specialized schools or programs if the criteria are uniformly applied to all applicants. This subdivision shall not be construed to prohibit school districts from using academic performance to determine eligibility for, or placement in, programs for gifted and talented pupils established pursuant to Chapter 8 (commencing with Section 52200) of Part 28 of Division 4.
EC § 35160.5 Continued

(C) It shall provide that no pupil who currently resides in the attendance area of a school shall be displaced by pupils transferring from outside the attendance area.

(3) Notwithstanding the requirement of subparagraph (B) of paragraph (2) that the policy include a selection policy for a school that receives requests for admission in excess of the capacity of the school that ensures that the selection is made through a random, unbiased process, the policy may include either of the following elements:

(A) (i) It may provide that special circumstances exist that might be harmful or dangerous to a particular pupil in the current attendance area of the pupil, including, but not necessarily limited to, threats of bodily harm or threats to the emotional stability of the pupil, that serve as a basis for granting a priority of attendance outside the current attendance area of the pupil. A finding of harmful or dangerous special circumstances shall be based upon either of the following:

(I) A written statement from a representative of the appropriate state or local agency, including, but not necessarily limited to, a law enforcement official or a social worker, or properly licensed or registered professionals, including, but not necessarily limited to, psychiatrists, psychologists, or marriage and family therapists.

(II) A court order, including a temporary restraining order and injunction, issued by a judge.

(ii) A finding of harmful or dangerous special circumstances pursuant to this subparagraph may be used by a school district to approve transfers within the district to schools that have been deemed by the school district to be at capacity and otherwise closed to transfers that are not based on harmful or dangerous special circumstances.

(B) It may provide that schools receiving requests for admission shall give priority for attendance to siblings of pupils already in attendance in that school and to pupils whose parent or legal guardian is assigned to that school as his or her primary place of employment.

(4) To the extent required and financed by federal law and at the request of the pupil's parent or guardian, each school district shall provide transportation assistance to the pupil.

EC 48031 – Admission of nonresidents of districts

Any person who is eligible to attend high school and who does not reside in a high school district or in a unified school district may attend high school in any high school district or unified school district in the county in which he or she resides or in another county.
EC 48050 – Residents of adjoining states

The governing board of any school district may, with the approval of the county superintendent of schools, admit to the elementary and high schools of the district pupils living in an adjoining state which is contiguous to the school district. An agreement shall be entered into between the governing board and the governing board or authority of the school district in which the pupils reside providing for the payment by the latter of an amount sufficient to reimburse the district of attendance for the total cost of educating the pupil, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The amount of the tuition for the current expenses of education per unit of average daily attendance of pupils from the adjoining state shall equal the average current expenditure, exclusive of all transportation expenditures, per unit of average daily attendance in the district of attendance. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars ($10) per month. Tuition payments shall be made during the school year with final payment at the end of the school year after all costs have been determined. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of the class or school for the purpose of obtaining apportionment of state funds. In lieu of entering an agreement with the governing board or authority of the school district in which the pupil from the adjoining state resides, the governing board of the school district in this state may enter an agreement with the parent or guardian of the pupil on the same terms as is provided in this section.

EC 48051 – Residents of adjoining foreign country

Any person, otherwise eligible for admission to any class or school of a school district of this state, whose parents are or are not citizens of the United States, whose actual and legal residence is in a foreign country adjacent to this state, and who regularly returns within a 24-hour period to said foreign country may be admitted to the class or school of the district by the governing board of the district.

EC 48052 – Tuition, transportation, and average daily attendance of foreign residents

The governing board of the district shall, as a condition precedent to the admission of any person, under Section 48051, require the parent or guardian of such person to pay to the district an amount not more
EC § 48052 Continued

than sufficient to reimburse the district for the total cost of educating the person, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars ($10) per month. Tuition payments shall be made in advance for each month or semester during the period of attendance. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of the class or school for the purpose of obtaining apportionment of state funds. The school district shall not be eligible for nonimmigrant or noncitizen reimbursement under the provisions of Chapter 11 (commencing with Section 42900) of Part 24 of Division 3 of this title, Article 2 (commencing with Section 56865) of Chapter 6 of Part 30 of this division for these students.

EC 48200 – Children between ages 6 and 18 years

Each person between the ages of 6 and 18 years not exempted under the provisions of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located.

Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum school day established by law.

EC 48204 – Residency Requirements for School Attendance

(a) Notwithstanding Section 48200, a pupil complies with the residency requirements for school attendance in a school district, if he or she is any of the following:

(1) (A) A pupil placed within the boundaries of that school district in a regularly established licensed children’s institution, or a licensed
foster home, or a family home pursuant to a commitment or placement under Chapter 2 (commencing with Section 200) of Part 1 of Division 2 of the Welfare and Institutions Code.

(B) An agency placing a pupil in a home or institution described in subparagraph (A) shall provide evidence to the school that the placement or commitment is pursuant to law.

(2) A pupil for whom interdistrict attendance has been approved pursuant to Chapter 5 (commencing with Section 46600) of Part 26.

(3) A pupil whose residence is located within the boundaries of that school district and whose parent or legal guardian is relieved of responsibility, control, and authority through emancipation.

(4) A pupil who lives in the home of a caregiving adult that is located within the boundaries of that school district. Execution of an affidavit under penalty of perjury pursuant to Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code by the caregiving adult is a sufficient basis for a determination that the pupil lives in the home of the caregiver, unless the school district determines from actual facts that the pupil is not living in the home of the caregiver.

(5) A pupil residing in a state hospital located within the boundaries of that school district.

(b) A school district may deem a pupil to have complied with the residency requirements for school attendance in the district if at least one parent or the legal guardian of the pupil is physically employed within the boundaries of that district for a minimum of 10 hours during the school week.

(1) This subdivision does not require the school district within which at least one parent or the legal guardian of a pupil is employed to admit the pupil to its schools. A school district shall not, however, refuse to admit a pupil under this subdivision on the basis, except as expressly provided in this subdivision, of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration.

(2) The school district in which the residency of either the parents or the legal guardian of the pupil is established, or the school district to which the pupil is to be transferred under this subdivision, may prohibit the transfer of the pupil under this subdivision if the governing board of the district determines that the transfer would negatively impact the court-ordered or voluntary desegregation plan of the district.

(3) The school district to which the pupil is to be transferred under this subdivision may prohibit the transfer of the pupil if the district determines that the additional cost of educating the pupil would
exceed the amount of additional state aid received as a result of the transfer.

(4) The governing board of a school district that prohibits the transfer of a pupil pursuant to paragraph (1), (2), or (3) is encouraged to identify, and communicate in writing to the parents or the legal guardian of the pupil, the specific reasons for that determination and is encouraged to ensure that the determination, and the specific reasons therefor, are accurately recorded in the minutes of the board meeting in which the determination was made.

(5) The average daily attendance for pupils admitted pursuant to this subdivision is calculated pursuant to Section 46607.

(6) Unless approved by the sending school district, this subdivision does not authorize a net transfer of pupils out of a school district, calculated as the difference between the number of pupils exiting the district and the number of pupils entering the district, in a fiscal year in excess of the following amounts:

(A) For a school district with an average daily attendance for that fiscal year of less than 501, 5 percent of the average daily attendance of the district.

(B) For a school district with an average daily attendance for that fiscal year of 501 or more, but less than 2,501, 3 percent of the average daily attendance of the district or 25 pupils, whichever amount is greater.

(C) For a school district with an average daily attendance of 2,501 or more, 1 percent of the average daily attendance of the district or 75 pupils, whichever amount is greater.

(7) Once a pupil is deemed to have complied with the residency requirements for school attendance pursuant to this subdivision and is enrolled in a school in a school district the boundaries of which include the location where at least one parent or the legal guardian of a pupil is physically employed, the pupil does not have to reapply in the next school year to attend a school within that district and the district governing board shall allow the pupil to attend school through grade 12 in that district if the parent or legal guardian so chooses and if at least one parent or the legal guardian of the pupil continues to be physically employed by an employer situated within the attendance boundaries of the district, subject to paragraphs (1) to (6), inclusive.

(c) This section shall become inoperative on July 1, 2017, and as of January 1, 2018, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2018, deletes or extends the dates on which it becomes inoperative and is repealed.
EC 48204.1 – Reasonable evidence of residency; false or unreliable evidence; construction with federal law; unaccompanied youth

(a) A school district shall accept from the parent or legal guardian of a pupil reasonable evidence that the pupil meets the residency requirements for school attendance in the school district as set forth in Sections 48200 and 48204. Reasonable evidence of residency for a pupil living with his or her parent or legal guardian shall be established by documentation showing the name and address of the parent or legal guardian within the school district, including, but not limited to, any of the following documentation:

(1) Property tax payment receipts.
(2) Rental property contract, lease, or payment receipts.
(3) Utility service contract, statement, or payment receipts.
(4) Pay stubs.
(5) Voter registration.
(6) Correspondence from a government agency.
(7) Declaration of residency executed by the parent or legal guardian of a pupil.

(b) Nothing in this section shall be construed to require a parent or legal guardian of a pupil to show all of the items of documentation listed in paragraphs (1) to (7), inclusive, of subdivision (a).

(c) If an employee of a school district reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency, the school district may make reasonable efforts to determine that the pupil actually meets the residency requirements set forth in Sections 48200 and 48204.

(d) Nothing in this section shall be construed as limiting access to pupil enrollment in a school district as otherwise provided by federal and state statutes and regulations. This includes immediate enrollment and attendance guaranteed to a homeless child or youth, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), without any proof of residency or other documentation.

(e) Consistent with Section 11432(g) of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), proof of residency of a parent within a school district shall not be required for an unaccompanied youth, as defined in Section 11434a(6) of Title 42 of the United States Code. A school district shall accept a declaration of residency executed by the unaccompanied youth in lieu of a declaration of residency executed by his or her parent or legal guardian.
EC 48204.5 – International border; adjacent districts; residency; legislative findings and declarations

(a) The Legislature finds that school districts that are adjacent to the international border, because of their geographic position, face unique circumstances in conducting the verification of a pupil's residency.

(b) The Legislature declares that international border school districts may need to employ certain efforts to verify residency.

GC 6254.16 – Utility customers; disclosure of names, credit histories, usage data, addresses, or telephone numbers

Nothing in this chapter shall be construed to require the disclosure of the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies, except that disclosure of name, utility usage data, and the home address of utility customers of local agencies shall be made available upon request as follows:

(a) To an agent or authorized family member of the person to whom the information pertains.

(b) To an officer or employee of another governmental agency when necessary for the performance of its official duties.

(c) Upon court order or the request of a law enforcement agency relative to an ongoing investigation.

(d) Upon determination by the local agency that the utility customer who is the subject of the request has used utility services in a manner inconsistent with applicable local utility usage policies.

(e) Upon determination by the local agency that the utility customer who is the subject of the request is an elected or appointed official with authority to determine the utility usage policies of the local agency, provided that the home address of an appointed official shall not be disclosed without his or her consent.

(f) Upon determination by the local agency that the public interest in disclosure of the information clearly outweighs the public interest in nondisclosure.

42 USC § 11432 – Grants for state and local activities for the education of homeless children and youths (in part)

(3) Local educational agency requirements

(A) In general

The local educational agency serving each child or youth to be assisted under this part shall, according to the child's or youth's best interest—
42 USC § 11432 cont’d
School of origin vs. school of residence

(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

(I) in any case in which a family becomes homeless between academic years or during an academic year; or

(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

(B) Best interest

In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

(i) to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the homeless child's or youth's parent or guardian, if the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian; and

(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

(C) Enrollment

(i) The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

(ii) The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D).
(D) Records

Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—

(i) so that the records are available, in a timely fashion, when a child or youth enters a new school or school district; and

(ii) in a manner consistent with section 1232g of Title 20.

(E) Enrollment disputes

If a dispute arises over school selection or enrollment in a school—

(i) the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

(ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;

(iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and

(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

(F) Placement choice

The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

(G) School of origin defined

In this paragraph, the term “school of origin” means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

**42 USC 11434a – Definitions (Homeless Youth)**

For purposes of this part:

(1) The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.

(2) The term “homeless children and youths”—
(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1) of this title); and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C) of this title);

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 6399 of Title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

(3) The terms “local educational agency” and “State educational agency” have the meanings given such terms in section 7801 of Title 20.

(4) The term “Secretary” means the Secretary of Education.

(5) The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(6) The term “unaccompanied youth” includes a youth not in the physical custody of a parent or guardian.

EC 48207 – Pupils with temporary disabilities in hospitals outside of school district; compliance with residency requirements

Notwithstanding Section 48200, a pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.
EC 48208 – Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction

(a) It shall be the primary responsibility of the parent or guardian of a pupil with a temporary disability to notify the school district in which the pupil is deemed to reside pursuant to Section 48207 of the pupil's presence in a qualifying hospital.

(b) Upon receipt of notification pursuant to subdivision (a), a school district shall do all of the following:

(1) Within five working days of receipt of the notification, determine whether the pupil will be able to receive individualized instruction, and, if the determination is positive, when the individualized instruction may commence. Individualized instruction shall commence no later than five working days after the positive determination has been rendered.

(2) Provide the pupil with individualized instruction pursuant to Section 48206.3. The school district may enter into an agreement with the school district in which the pupil previously attended regular day classes or an alternative education program, to have the school district the pupil previously attended provide the pupil with individualized instruction pursuant to Section 48206.3.

(3) Within five working days of the commencement of individualized instruction, provide the school district in which the pupil previously attended regular day classes or an alternative education program with written notice that the pupil shall not be counted by that district for purposes of computing average daily attendance pursuant to Section 42238.5, effective the date on which individualized instruction commenced.

EC 48853.5 – Educational liaisons for foster children; duties; continuation in school of origin; transfer to new school; funding options; educational placements in juvenile court schools

(a) This section applies to a foster child. “Foster child” means a child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code, is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, or has been removed from his or her home and is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code.

(b) Each local educational agency shall designate a staff person as the educational liaison for foster children. In a school district that operates a foster children services program pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3, the educational liaison shall be affiliated with the local foster children
services program. The educational liaison shall do all of the following:

(1) Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.

(2) Assist foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records, and grades.

(c) If so designated by the superintendent of the local educational agency, the educational liaison shall notify a foster child's attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if the decision to recommend expulsion is a discretionary act, pending proceedings to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act, and, if the foster child is an individual with exceptional needs, pending manifestation determinations pursuant to Section 1415(k) of Title 20 of the United States Code if the local educational agency has proposed a change in placement due to an act for which the decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools.

(d) This section does not grant authority to the educational liaison that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible adult appointed by the court to represent the child pursuant to Section 361 or 726 of the Welfare and Institutions Code, a surrogate parent, or a foster parent exercising the authority granted under Section 56055. The role of the educational liaison is advisory with respect to placement decisions and determination of the school of origin.

(e) (1) At the initial detention or placement, or any subsequent change in placement of a foster child, the local educational agency serving the foster child shall allow the foster child to continue his or her education in the school of origin for the duration of the jurisdiction of the court.

(2) If the jurisdiction of the court is terminated before the end of an academic year, the local educational agency shall allow a former foster child who is in kindergarten or any of grades 1 to 8, inclusive, to continue his or her education in the school of origin through the duration of the academic school year.

(3) (A) If the jurisdiction of the court is terminated while a foster child is in high school, the local educational agency shall allow the former foster child to continue his or her education in the school of origin through graduation.
(B) For purposes of this paragraph, a school district is not required to provide transportation to a former foster child who has an individualized education program that does not require transportation as a related service and who changes residence but remains in his or her school of origin pursuant to this paragraph, unless the individualized education program team determines that transportation is a necessary related service.

(4) To ensure that the foster child has the benefit of matriculating with his or her peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the local educational agency shall allow the foster child to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

(5) Paragraphs (2), (3), and (4) do not require a school district to provide transportation services to allow a foster child to attend a school or school district, unless otherwise required under federal law. This paragraph does not prohibit a school district from, at its discretion, providing transportation services to allow a foster child to attend a school or school district.

(6) The educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be enrolled in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.

(7) Before making a recommendation to move a foster child from his or her school of origin, the educational liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interest.

(8) (A) If the educational liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by his or her transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school.

(B) The new school shall immediately enroll the foster child even if the foster child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce
clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Chapter 1 (commencing with Section 120325) of Part 2 of Division 105 of the Health and Safety Code, proof of residency, other documentation, or school uniforms.

(C) Within two business days of the foster child's request for enrollment, the educational liaison for the new school shall contact the school last attended by the foster child to obtain all academic and other records. The last school attended by the foster child shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide all records to the new school within two business days of receiving the request.

(9) If a dispute arises regarding the request of a foster child to remain in the school of origin, the foster child has the right to remain in the school of origin pending resolution of the dispute. The dispute shall be resolved in accordance with the existing dispute resolution process available to a pupil served by the local educational agency.

(10) The local educational agency and the county placing agency are encouraged to collaborate to ensure maximum use of available federal moneys, explore public-private partnerships, and access any other funding sources to promote the well-being of foster children through educational stability.

(11) It is the intent of the Legislature that this subdivision shall not supersede or exceed other laws governing special education services for eligible foster children.

(f) For purposes of this section, "school of origin" means the school that the foster child attended when permanently housed or the school in which the foster child was last enrolled. If the school the foster child attended when permanently housed is different from the school in which the foster child was last enrolled, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

(g) This section does not supersede other law governing the educational placements in juvenile court schools, as described in Section 48645.1, by the juvenile court under Section 602 of the Welfare and Institutions Code.
**FC 3024 – Notice to other parent of change of residence of child**

In making an order for custody, if the court does not consider it inappropriate, the court may specify that a parent shall notify the other parent if the parent plans to change the residence of the child for more than 30 days, unless there is prior written agreement to the removal. The notice shall be given before the contemplated move, by mail, return receipt requested, postage prepaid, to the last known address of the parent to be notified. A copy of the notice shall also be sent to that parent’s counsel of record. To the extent feasible, the notice shall be provided within a minimum of 45 days before the proposed change of residence so as to allow time for mediation of a new agreement concerning custody. This section does not affect orders made before January 1, 1989.

**Interdistrict Permit**

**EC 46600 – Agreements for interdistrict attendance; terms and conditions; individual permit verifying approval; limit on rescission; admission of expelled student in district of residence; victims of bullying**

(a) (1) The governing boards of two or more school districts may enter into an agreement, for a term not to exceed five school years, for the interdistrict attendance of pupils who are residents of the districts. The agreement may provide for the admission to a district other than the district of residence of a pupil who requests a permit to attend a school district that is a party to the agreement and that maintains schools and classes in kindergarten or any of grades 1 to 12, inclusive, to which the pupil requests admission. Once a pupil in kindergarten or any of grades 1 to 12, inclusive, is enrolled in a school pursuant to this chapter, the pupil shall not have to reapply for an interdistrict transfer, and the governing board of the school district of enrollment shall allow the pupil to continue to attend the school in which he or she is enrolled, except as specified in paragraphs (2) and (4).

(2) The agreement shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied. The agreement may contain standards for reapplication agreed to by the district of residence and the district of attendance that differ from the requirements prescribed by paragraph (1). The agreement may stipulate terms and conditions established by the district of residence and the district of enrollment under which the permit may be revoked.

(3) The supervisor of attendance of the district of residence shall issue an individual permit verifying the district's approval, pursuant to policies of the governing board and terms of the agreement for the
transfer. A permit shall be valid upon concurring endorsement by the
designee of the governing board of the district of proposed
attendance. The stipulation of the terms and conditions under which
the permit may be revoked is the responsibility of the district of
attendance.

(4) Notwithstanding paragraph (2), a school district of residence or
school district of enrollment shall not rescind existing transfer
permits for pupils entering grade 11 or 12 in the subsequent school
year.

(b) A pupil who has been determined by personnel of either the
district of residence or the district of proposed enrollment to have
been the victim of an act of bullying, as defined in subdivision (r) of
Section 48900, committed by a pupil of the district of residence shall,
at the request of the person having legal custody of the pupil, be
given priority for interdistrict attendance under any existing
interdistrict attendance agreement or, in the absence of an agreement,
be given additional consideration for the creation of an interdistrict
attendance agreement.

(c) In addition to the requirements of subdivision (e) of Section
48915.1, and regardless of whether an agreement exists or a permit is
issued pursuant to this section, any district may admit a pupil
expelled from another district in which the pupil continues to reside.

EC 46601 – Failure to approve interdistrict attendance; appeal

(a) If, within 30 calendar days after the person having legal custody
of a pupil has so requested, the governing board of either school
district fails to approve interdistrict attendance in the current term, or,
in the absence of an agreement between the districts, fails or refuses
to enter into an agreement, the district denying the permit, or, in the
absence of an agreement, the district of residence, shall advise the
person requesting the permit of the right to appeal to the county
board of education.

(b) If, within 14 calendar days after the commencement of
instruction in a new term in each of the school districts, respectively,
when the person having legal custody of a pupil has so requested
separately of each district not later than 30 calendar days prior to the
commencement of instruction in that term in that district, the
governing board of either district fails to approve interdistrict
attendance in that term, or, in the absence of an agreement between
the districts to permit that attendance, fails or refuses to enter an
agreement, the district denying the permit, or, in the absence of an
agreement, the district of residence, shall advise the person
requesting the permit of the right to appeal to the county board of
education.
(c) Notifying districts shall also, in all instances, advise persons making unsuccessful requests for interdistrict attendance of all of the following:

(1) The person having legal custody may appeal, within 30 calendar days of the failure or refusal to issue a permit, or to enter into an agreement allowing the attendance, to the county board of education having jurisdiction over the district of residence of the parent or legal guardian or person having legal custody. Failure to appeal within the required time is good cause for denial of an appeal. An appeal shall be accepted only upon verification by the county board's designee that appeals within the districts have been exhausted. If new evidence or grounds for the request are introduced, the county board may remand the matter for further consideration by the district or districts. In all other cases, the appeal shall be granted or denied on its merits.

(2) (A)(i) The county board of education shall, unless clause (ii) is applicable, within 30 calendar days after the appeal is filed, determine whether the pupil should be permitted to attend in the district in which the pupil desires to attend and the applicable period of time.

(ii) The county board of education in a class 1 or class 2 county shall, within 40 schooldays after the appeal is filed, determine whether the pupil should be permitted to attend in the district in which the pupil desires to attend and the applicable period of time.

(B) In the event that compliance by the county board within the time requirement for determining whether the pupil should be permitted to attend in the district in which the pupil desires to attend is impractical, the county board or the county superintendent of schools, for good cause, may extend the time period for up to an additional five school days. The county shall provide adequate notice to all parties of the date and time of any hearing scheduled and of the opportunity to submit written statements and documentation and to be heard on the matter pursuant to rules and regulations adopted by the county board of education in accordance with this chapter. The county board rules may provide for the granting of continuances upon a showing of good cause. The county board of education shall render a decision within three schooldays of any hearing conducted by the board unless the person who filed the appeal requests a postponement.

(C) In a class 1 or class 2 county, the county board rules may provide for any hearing pursuant to this section to be conducted by a hearing officer pursuant to Chapter 14 (commencing with Section 27720) of Part 3 of Division 2 of Title 3 of the Government Code, or by an impartial administrative panel of three or more certificated persons appointed by the county board of education. Section 27722 of the Government Code is applicable to a hearing by any impartial
administrative panel and, for purposes of this section, the term "hearing officer" in Section 27722 of the Government Code includes an impartial administrative panel. No member of the impartial administrative panel shall be a member of the county board of education, nor be employed by the school district of residence or the district of desired attendance.

(D) The definitions of "class 1 county" and "class 2 county" in subdivision (e) of Section 48919.5 apply to this section. If the hearing officer is not authorized to decide whether the pupil should be permitted to attend in the district in which the pupil desires to attend, the county board of education, within 10 days of receiving the recommended decision pursuant to subdivision (b) of Section 27722 of the Government Code, shall render a decision.

(3) The county supervisor of attendance, or other designee of the county superintendent of schools, shall investigate to determine whether local remedies in the matter have been exhausted and to provide any additional information deemed useful to the county board in reaching a decision.

(4) If the interdistrict attendance involves school districts located in different counties, the county board of education having jurisdiction over the district denying a permit, or refusing or failing to enter into an agreement to allow for the issuance of a permit, shall have jurisdiction for purposes of an appeal. If both districts deny a permit, or refuse or fail to enter into an agreement to allow for the issuance of a permit, the county board having jurisdiction over the district of residence shall have jurisdiction for purposes of an appeal and, upon granting a pupil's appeal, shall seek concurrence in the decision by the county board of the other county which shall provide adequate opportunity for the district under its jurisdiction to be heard on the matter before making a decision. If the two county boards do not then concur, the pupil's appeal shall be denied.

(5) Pupils who are under consideration for expulsion, or who have been expelled pursuant to Sections 48915 and 48918, may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending, or during the term of the expulsion.

(d) This section shall become inoperative on July 1, 2015, and, as of January 1, 2016, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed.
EC 46602 — Admission to school without delay upon board approval; counting attendance for revenue purposes; notice of board's decision

If the county board of education determines that the pupil should be permitted to attend in the district in which he or she desires to attend, the pupil shall be admitted to school in the district without delay and the attendance may be counted by the district of attendance for revenue limit and state apportionment purposes.

Written notice of the decision by the county board of education shall be delivered to the pupil and the parent or guardian, or person having custody of him or her, and to the governing boards of the districts.

EC 46603 — Provisional attendance pending appeal on decision regarding interdistrict attendance

For a period not to exceed two school months, the governing board of a school district may provisionally admit to the schools of the district a pupil who resides in another district, pending a decision of the two boards, or by the county board of education upon appeal, regarding the interdistrict attendance.

Regardless of whether the decision on interdistrict attendance is allowed, the provisional attendance may be counted by the district of attendance for revenue limit and state apportionment purposes.

No Child Left Behind Transfer

20 USC 6316 — Academic assessment and local educational agency and school improvement (in part)

(b) School improvement

(1) General requirements

(F) Public school choice

(i) In general

In the case of a school identified for school improvement under this paragraph, the local educational agency shall, not later than the first day of the school year following such identification, provide all students enrolled in the school with the option to transfer to another public school served by the local educational agency, which may include a public charter school, that has not been identified for school improvement under this paragraph, unless such an option is prohibited by State law.

(ii) Rule

In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest
achieving children from low-income families, as determined by the local educational agency for purposes of allocating funds to schools under section 6313(c)(1) of this title.

34 CFR 200.44 – Public school choice

(a) Requirements.

(1) In the case of a school identified for school improvement under § 200.32, for corrective action under § 200.33, or for restructuring under § 200.34, the LEA must provide all students enrolled in the school with the option to transfer to another public school served by the LEA.

(2) The LEA must offer this option, through the notice required in § 200.37, so that students may transfer in the school year following the school year in which the LEA administered the assessments that resulted in its identification of the school for improvement, corrective action, or restructuring.

(3) The schools to which students may transfer under paragraph (a)(1) of this section—

(i) May not include schools that—

(A) The LEA has identified for improvement under § 200.32, corrective action under § 200.33, or restructuring under § 200.34; or

(B) Are persistently dangerous as determined by the State; and

(ii) May include one or more public charter schools.

(4) If more than one school meets the requirements of paragraph (a)(3) of this section, the LEA must—

(i) Provide to parents of students eligible to transfer under paragraph (a)(1) of this section a choice of more than one such school; and

(ii) Take into account the parents' preferences among the choices offered under paragraph (a)(4)(i) of this section.

(5) The LEA must offer the option to transfer described in this section unless it is prohibited by State law in accordance with paragraph (b) of this section.

(6) Except as described in §§ 200.32(d) and 200.33(c), if a school was in school improvement or subject to corrective action before January 8, 2002, the State must ensure that the LEA provides a public school choice option in accordance with paragraph (a)(1) of this section not later than the first day of the 2002–2003 school year.

(b) Limitation on State law prohibition. An LEA may invoke the State law prohibition on choice described in paragraph (a)(5) of this section only if the State law prohibits choice through restrictions on
34 CFR § 200.44 Cont'd

public school assignments or the transfer of students from one public school to another public school.

(c) Desegregation plans.

(1) If an LEA is subject to a desegregation plan, whether that plan is voluntary, court-ordered, or required by a Federal or State administrative agency, the LEA is not exempt from the requirement in paragraph (a)(1) of this section.

(2) In determining how to provide students with the option to transfer to another school, the LEA may take into account the requirements of the desegregation plan.

(3) If the desegregation plan forbids the LEA from offering the transfer option required under paragraph (a)(1) of this section, the LEA must secure appropriate changes to the plan to permit compliance with paragraph (a)(1) of this section.

(d) Capacity. An LEA may not use lack of capacity to deny students the option to transfer under paragraph (a)(1) of this section.

(e) Priority.

(1) In providing students the option to transfer to another public school in accordance with paragraph (a)(1) of this section, the LEA must give priority to the lowest-achieving students from low-income families.

(2) The LEA must determine family income on the same basis that the LEA uses to make allocations to schools under subpart A of this part.

(f) Status. Any public school to which a student transfers under paragraph (a)(1) of this section must ensure that the student is enrolled in classes and other activities in the school in the same manner as all other students in the school.

(g) Duration of transfer.

(1) If a student exercises the option under paragraph (a)(1) of this section to transfer to another public school, the LEA must permit the student to remain in that school until the student has completed the highest grade in the school.

(2) The LEA's obligation to provide transportation for the student may be limited under the circumstances described in paragraph (i) of this section and in § 200.48.

(h) No eligible schools within an LEA. If all public schools to which a student may transfer within an LEA are identified for school improvement, corrective action, or restructuring, the LEA--

(1) Must, to the extent practicable, establish a cooperative agreement for a transfer with one or more other LEAs in the area; and

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(2) May offer supplemental educational services to eligible students under § 200.45 in schools in their first year of school improvement under § 200.39.

Transportation

(i) Transportation.

(1) If a student exercises the option under paragraph (a)(1) of this section to transfer to another public school, the LEA must, consistent with § 200.48, provide or pay for the student's transportation to the school.

(2) The limitation on funding in § 200.48 applies only to the provision of choice-related transportation, and does not affect in any way the basic obligation to provide an option to transfer as required by paragraph (a) of this section.

(3) The LEA's obligation to provide transportation for the student ends at the end of the school year in which the school from which the student transferred is no longer identified by the LEA for school improvement, corrective action, or restructuring.

(j) Students with disabilities and students covered under Section 504 of the Rehabilitation Act of 1973 (Section 504). For students with disabilities under the IDEA and students covered under Section 504, the public school choice option must provide a free appropriate public education as that term is defined in section 602(8) of the IDEA or 34 CFR 104.33, respectively.

School District of Choice

EC 48300 – Definitions (school district of choice)

For purposes of this article, the following definitions apply:

(a) “School district of choice” means a school district for which a resolution is in effect as described in subdivision (a) of Section 48301.

(b) “School district of residence” means the school district that a pupil would be directed by this chapter to attend, except as otherwise provided by this article.

EC 48301 – Interdistrict transfers; acceptance by governing board; restrictions upon pupil transfers; communications to parents or guardians; compliance review

(a) The governing board of any school district may accept interdistrict transfers. A school district that receives an application for attendance under this article is not required to admit pupils to its schools. If, however, the governing board elects to accept transfers as authorized under this article, it may, by resolution, elect to accept
transfer pupils, determine and adopt the number of transfers it is willing to accept under this article, and ensure that pupils admitted under the policy are selected through a random, unbiased process that prohibits an evaluation of whether or not the pupil should be enrolled based upon his or her academic or athletic performance. Any pupil accepted for transfer shall be deemed to have fulfilled the requirements of Section 48204. If the number of transfer applications exceeds the number of transfers the governing board elects to accept under this article, approval for transfer pursuant to this article shall be determined by a random drawing held in public at a regularly scheduled meeting of the governing board of the school district.

(b) Either the pupil's school district of residence, upon notification of the pupil's acceptance to the school district of choice pursuant to subdivision (c) of Section 48308, or the school district of choice may prohibit the transfer of a pupil under this article or limit the number of pupils so transferred if the governing board of the district determines that the transfer would negatively impact any of the following:

(1) The court-ordered desegregation plan of the district.
(2) The voluntary desegregation plan of the district.
(3) The racial and ethnic balance of the district.
(c) The school district of residence may not adopt policies that in any way block or discourage pupils from applying for transfer to another district.
(d) Communications to parents or guardians by districts electing to enroll pupils under the choice options provided by this article shall be factually accurate and not target individual parents or guardians or residential neighborhoods on the basis of a child's actual or perceived academic or athletic performance or any other personal characteristic.
(e) A school district of choice, at its expense, shall ensure that the auditor who conducts the annual audit pursuant to Section 41020, at the same time that he or she is conducting that annual audit, reviews compliance with the provisions in this section regarding a random, unbiased selection process and appropriate communications. The compliance review specified in this subdivision is not subject to the requirements in subdivision (d) of Section 41020. The school district of choice shall notify the auditor regarding this compliance review specified in this subdivision prior to the commencement of the annual audit. The governing board of the school district of choice shall include a summary of audit exceptions, if any, resulting from the compliance review conducted pursuant to this subdivision in the report it provides pursuant to subdivision (b) of Section 48313.
EC 48303 – Rejection of pupil transfer; criteria; discriminatory practices prohibited

(1) The school district of choice may not prohibit a transfer of a pupil under this article based upon a determination by the governing board of that school district that the additional cost of educating the pupil would exceed the amount of additional state aid received as a result of the transfer. A school district may reject the transfer of a pupil if the transfer of that pupil would require the district to create a new program to serve that pupil, except that a school district of choice shall not reject the transfer of a special needs pupil, including an individual with exceptional needs, as defined in Section 56026, and an English learner.

(2) This section is intended to ensure that special education, bilingual, English learner, or other special needs pupils are not discriminated against by the school district of choice because of the costs associated with educating those pupils. Pupils with special needs may take full advantage of the choice options available under this section.

EC 48304 – Application approval conditions

An application of any pupil for transfer may not be approved under this article if the transfer would require the displacement, from a school or program conducted within any attendance area of the school district of choice, of any other pupil who resides within that attendance area or is currently enrolled in that school.

EC 48305 – Entrance criteria; school district authority

School districts of choice may employ existing entrance criteria for specialized schools or programs if the criteria are uniformly applied to all applicants.

EC 48306 – Entrance priority for siblings and children of military personnel

(a) A school district of choice shall give priority for attendance to siblings of children already in attendance in that district.

(b) A school district of choice may give priority for attendance to children of military personnel.

EC 48307 – Annual outbound transfers of pupils; school district limits

(a) A school district of residence with an average daily attendance greater than 50,000 may limit the number of pupils transferring out each year to 1 percent of its current year estimated average daily attendance.
EC § 48307 Continued

(b) A school district of residence with an average daily attendance of less than 50,000 may limit the number of pupils transferring out to 3 percent of its current year estimated average daily attendance and may limit the maximum number of pupils transferring out for the duration of the program authorized by this article to 10 percent of the average daily attendance for that period.

c) A school district of residence that has a negative status on the most recent budget certification completed by the county superintendent of schools in any fiscal year may limit the number of pupils who transfer out of the district in that fiscal year.

d) Notwithstanding any prior or existing certification of a school district of residence pursuant to Article 3 (commencing with Section 42130) of Chapter 6 of Part 24, only if the county superintendent of schools determines that the district would not meet the standards and criteria for fiscal stability specified in Section 42131 for the subsequent fiscal year exclusively due to the impact of additional pupil transfers pursuant to this article in that year, the district may limit the number of additional pupils who transfer in the upcoming school year pursuant to this article up to the number that the county superintendent identifies beyond which number of additional transfers would result in a qualified or negative certification in that year exclusively as a result of additional transfers pursuant to this article.

e) If a school district of residence limits the number of pupils who transfer out of the district pursuant to subdivision (c) or (d), pupils who have already been enrolled or notified of eligibility for enrollment, including through the random, public selection process prior to the action by the district to limit transfers shall be permitted to attend the school district of choice.

(f) Notwithstanding any other provision of this article, a pupil attending a school district of choice or a pupil who received a notice of eligibility to enroll in a school district of choice, including a pupil selected by means of a random selection process conducted on or before June 30, 2009, pursuant to this article, as it read on June 30, 2009, shall be permitted to attend the school district of choice.

EC 48308 – Applications; deadlines; exception for children of relocated military personnel; form; acceptance or rejection; annual renewal of final acceptance

(a) (1) An application requesting a transfer pursuant to this article shall be submitted by the parent or guardian of a pupil to the school district of choice that has elected to accept transfer pupils pursuant to Section 48301 prior to January 1 of the school year preceding the school year for which the pupil is requesting to be transferred. This application deadline may be waived upon agreement of the school district of residence of the pupil and the school district of choice.
(2) The application deadline specified in paragraph (1) does not apply to an application requesting a transfer if the parent or guardian of the pupil, with whom the pupil resides, is enlisted in the military and was relocated by the military within 90 days prior to submitting the application.

(b) The application may be submitted on a form provided for this purpose by the department and may request enrollment of the pupil in a specific school or program of the school district.

(c) (1) Not later than 90 days after the receipt by a school district of an application for transfer, the governing board of the school district may notify the parent or guardian in writing whether the application has been provisionally accepted or rejected or of the placement of the pupil on a waiting list. Final acceptance or rejection shall be made by May 15 preceding the school year for which the pupil is requesting to be transferred.

(2) (A) Notwithstanding paragraph (1), the governing board of a school district shall, not later than 90 days after receipt of an application submitted according to paragraph (2) of subdivision (a), make a final acceptance or rejection of that application. A pupil may enroll in a school in the school district immediately upon his or her acceptance.

(B) If an application submitted according to paragraph (2) of subdivision (a) is submitted less than 90 days prior to the beginning of the school year for which the pupil seeks to be transferred, the governing board of the school district shall accept or deny the application prior to the commencement of the school year. A pupil may enroll in a school in the school district immediately upon his or her acceptance.

(3) If the application is accepted, the notice required by this subdivision may be provided to the school district of residence. If the application is rejected, the district governing board may set forth in the written notification to the parent or guardian the specific reason or reasons for that determination, and may ensure that the determination, and the specific reason or reasons therefor, are accurately recorded in the minutes of a regularly scheduled board meeting in which the determination was made.

(d) Final acceptance of the transfer is applicable for one school year and will be renewed automatically each year unless the school district of choice through the adoption of a resolution withdraws from participation in the program and no longer will accept any transfer pupils from other districts. However, if a school district of choice withdraws from participation in the program, high school pupils admitted under this article may continue until they graduate from high school.
EC 48309 – Transfer of completed coursework, attendance and other academic progress; revocation of acceptance

(a) Any school district of choice that admits any pupil under this section may accept any completed coursework, attendance, and other academic progress credited to that pupil by the school district or districts previously attended by that pupil, and may grant academic standing to that pupil based upon the district's evaluation of the academic progress credited to that pupil.

(b) Any school district of choice that admits a pupil under this section may revoke the pupil's transfer if the pupil is recommended for expulsion pursuant to Section 48918.

Open Enrollment Act

5 CCR 4701 – Identification of Open Enrollment Schools

(a) The State Superintendent of Public Instruction (SSPI) shall annually construct a list of 1,000 schools for the Open Enrollment Act that maintains the same ratio of elementary, middle, and high schools as existed in decile 1 of the 2009 Base Academic Performance Index (API) file and retains only “10 percent” of a local educational agency's (LEA's) schools pursuant to the following methodology:

(1) the list of 1,000 schools shall include 687 elementary schools, 165 middle schools, and 148 high schools;

(2) the list of 1,000 schools shall exclude the following:

(A) schools that are court, community, or community day schools;

(B) schools that are charter schools;

(C) schools that are closed; and

(D) schools that have fewer than 100 valid test scores.

(E) schools that are not schools of a district of residence as defined in Education Code section 48352(d), and that enroll students who would otherwise be required to enroll in a school of a district pursuant to Education Code section 48200.

(3) an LEA shall have on the list no more than 10 percent of its total number of schools that are not closed. However, when that total number of schools is not evenly divisible by 10, the 10 percent number of the LEA's schools shall be rounded up to the next whole number; and

(4) to produce the final list of 1,000 schools, the SSPI shall apply the following process:
5 CCR § 4701 Cont'd

(A) create a pool of schools by selecting all schools from the most current year's growth API file;

(B) create an initial pool of eligible schools by excluding from the pool set forth in subdivision (a)(4)(A) all schools identified in subdivision (a)(2);

(C) from the pool of eligible schools set forth in subdivision (a)(4)(B), select the list of 1,000 schools with the lowest API scores while maintaining the number of the elementary schools, middle schools, and high schools respectively, as set forth in subdivision (a)(1);

(D) from the list of 1,000 schools identified in subdivision (a)(4)(C), retain only the schools with the lowest API scores from each LEA irrespective of whether it is an elementary school, middle school, or high school until the LEA reaches the 10 percent cap pursuant to subdivision (a)(3);

(E) from the schools remaining in the eligible pool after the list of 1,000 schools as set forth in subdivision (a)(4)(C) was removed, retain only the schools that are part of LEAs that have not yet reached their 10 percent cap pursuant to subdivision (a)(3);

(F) create the next pool of eligible schools by combining the schools retained in subdivision (a)(4)(D) with the schools retained in subdivision (a)(4)(E); and

(G) repeat the procedures outlined in subdivisions (a)(4)(C) through (a)(4)(F) until such time as the number of schools as set forth in subdivision (a)(4)(D) is 1,000 schools with no LEA exceeding the 10 percent cap.

(5) The final list of 1,000 Open Enrollment schools is achieved when the list contains 1,000 schools that meet the requirements for both the decile 1 ratio and the LEA “10 percent” cap.

EC 48352 – Definitions (open enrollment act)

For purposes of this article, the following definitions apply:

(a) “Low-achieving school” means any school identified by the Superintendent pursuant to the following:

(1) Excluding the schools, and taking into account the impact of the criteria in paragraph (2), the Superintendent annually shall create a list of 1,000 schools ranked by increasing API with the same ratio of elementary, middle, and high schools as existed in decile 1 in the 2008-09 school year.

(2) In constructing the list of 1,000 schools each year, the Superintendent shall ensure each of the following:
EC § 48352 Continued

(A) A local educational agency shall not have more than 10 percent of its schools on the list. However, if the number of schools in a local educational agency is not evenly divisible by 10, the Superintendent shall round up to the next whole number of schools.

(B) Court, community, or community day schools shall not be included on the list.

(C) Charter schools shall not be included on the list.

(b) “Parent” means the natural or adoptive parent or guardian of a dependent child.

(c) “School district of enrollment” means a school district other than the school district in which the parent of a pupil resides, but in which the parent of the pupil nevertheless intends to enroll the pupil pursuant to this article.

(d) “School district of residence” means a school district in which the parent of a pupil resides and in which the pupil would otherwise be required to enroll pursuant to Section 48200.

EC 48354 – Transfer applications; notice of option; deadline; specific requests; enrollment; priority

(a) The parent of a pupil enrolled in a low-achieving school may submit an application for the pupil to attend a school in a school district of enrollment pursuant to this article.

(b) (1) Consistent with the requirements of Section 1116(b)(1)(E) of the federal Elementary and Secondary Education Act of 2001 (20 U.S.C. Sec. 6301 et seq.), on or before the first day of the school year, or, if later, on the date the notice of program improvement, corrective action, or restructuring status is required to be provided under federal law the district of residence shall provide the parents and guardians of all pupils enrolled in a school determined in subdivision (a) of Section 48352 with notice of the option to transfer to another public school served by the school district of residence or another school district.

(2) An application requesting a transfer pursuant to this article shall be submitted by the parent of a pupil to the school district of enrollment prior to January 1 of the school year preceding the school year for which the pupil is requesting to transfer. The school district of enrollment may waive the deadline specified in this paragraph.

(3) The application deadline specified in paragraph (2) does not apply to an application requesting a transfer if the parent, with whom the pupil resides, is enlisted in the military and was relocated by the military within 90 days prior to submitting the application.
(4) The application may request enrollment of the pupil in a specific school or program within the school district of enrollment.

(5) A pupil may enroll in a school in the school district of enrollment in the school year immediately following the approval of his or her application.

(6) In order to provide priority enrollment opportunities for pupils residing in the school district, a school district of enrollment shall establish a period of time for resident pupil enrollment prior to accepting transfer applications pursuant to this article.

**5 CCR 4702 – Application for Transfer Pursuant to the Open Enrollment Act**

(a) The district of residence shall notify the parent(s) or guardian(s) of each pupil enrolled in a school included on the most recent Open Enrollment List of the option to transfer. This notice shall be provided on the first day of instruction; if the district has not been notified of whether its school(s) is on the list, the notification shall be provided no later than 14 calendar days after the Open Enrollment List is posted on the CDE’s Web site at http://www.cde.ca.gov/.

(b) A pupil who transfers to a school pursuant to the Open Enrollment Act and is currently enrolled in that school shall not be required to reapply for enrollment in that school, regardless of whether the pupil’s school of residence remains on the list of 1,000 Open Enrollment schools.

(c) A district of enrollment may allow a pupil who has transferred to and is currently enrolled in a school in the district pursuant to the Open Enrollment Act to matriculate to a middle or high school in the district without having to reapply, regardless of whether the school into which the pupil would normally matriculate in the pupil's district of residence is on the list of 1,000 Open Enrollment schools.

**EC 48355 – District limitations on transfers; grounds; prohibited policies; communications**

(a) The school district of residence of a pupil or a school district of enrollment to which a pupil has applied to attend may prohibit the transfer of the pupil pursuant to this article or limit the number of pupils who transfer pursuant to this article if the governing board of the district determines that the transfer would negatively impact either of the following:

(1) A court-ordered or voluntary desegregation plan of the district.

(2) The racial and ethnic balance of the district, provided that any policy adopted pursuant to this paragraph is consistent with federal and state law.
(b) A school district of residence shall not adopt any other policies that in any way prevent or discourage pupils from applying for a transfer to a school district of enrollment.

(c) Communications to parents or guardians by districts regarding the open enrollment options provided by this article shall be factually accurate and not target individual parents or guardians or residential neighborhoods on the basis of a child's actual or perceived academic or athletic performance or any other personal characteristic.

EC 48356 – Consideration of applications; written standards; resident pupils; priority

(a) A school district of enrollment may adopt specific, written standards for acceptance and rejection of applications pursuant to this article. The standards may include consideration of the capacity of a program, class, grade level, school building, or adverse financial impact. Subject to subdivision (b), and except as necessary in accordance with Section 48355, the standards shall not include consideration of a pupil's previous academic achievement, physical condition, proficiency in the English language, family income, or any of the individual characteristics set forth in Section 200.

(b) In considering an application pursuant to this article, a nonresident school district may apply its usual requirements for admission to a magnet school or a program designed to serve gifted and talented pupils.

(c) Subject to the rules and standards that apply to pupils who reside in the school district of enrollment, a resident pupil who is enrolled in one of the district's schools pursuant to this article shall not be required to submit an application in order to remain enrolled.

(d) A school district of enrollment shall ensure that pupils enrolled pursuant to standards adopted pursuant to this section are enrolled in a school with a higher Academic Performance Index than the school in which the pupil was previously enrolled and are selected through a random, unbiased process that prohibits an evaluation of whether or not the pupil should be enrolled based on his or her individual academic or athletic performance, or any of the other characteristics set forth in subdivision (a), except that pupils applying for a transfer pursuant to this article shall be assigned priority for approval as follows:

(1) First priority for the siblings of children who already attend the desired school.

(2) Second priority for pupils transferring from a program improvement school ranked in decile 1 on the Academic Performance Index determined pursuant to subdivision (a) of Section 48352.
EC § 48356 Continued

(3) If the number of pupils who request a particular school exceeds the number of spaces available at that school, a lottery shall be conducted in the group priority order identified in paragraphs (1) and (2) to select pupils at random until all of the available spaces are filled.

(e) The initial application of a pupil for transfer to a school within a school district of enrollment shall not be approved if the transfer would require the displacement from the desired school of any other pupil who resides within the attendance area of that school or is currently enrolled in that school.

(f) A pupil approved for a transfer to a school district of enrollment pursuant to this article shall be deemed to have fulfilled the requirements of Section 48204.

EC 48357 – Notice of acceptance or rejection

Within 60 days of receiving an application pursuant to Section 48354, a school district of enrollment shall notify the applicant parent and the school district of residence in writing whether the application has been accepted or rejected. If an application is rejected, the school district of enrollment shall state in the notification the reasons for the rejection.

5 CCR 470 – Approval and rejection of applications

(a) If an application is approved, the school district of enrollment shall state in the notification the particular school site and that school’s address to which the pupil has been admitted.

(b) If the parent(s) or guardian(s) of a pupil chooses to enroll the pupil in a school to which the pupil has been admitted pursuant to this chapter, the pupil shall be enrolled in the school identified in subdivision (a) on or before the first day of instruction, or not later than 14 calendar days from the date of the notification pursuant to subdivision (a), whichever is later. If the parent(s) or guardian(s) of the pupil fails to enroll the pupil within this timeframe, the district is not required to enroll the pupil in the school.

EC 48361 – Discretionary acts of district

No exercise of discretion by a district of enrollment in its administration of this article shall be overturned absent a finding as designated by a court of competent jurisdiction that the district governing board acted in an arbitrary and capricious manner.
Victims of Domestic Violence, Sexual Assault, and Stalking

**GC 6205 – Legislative findings**

The Legislature finds that persons attempting to escape from actual or threatened domestic violence, sexual assault, or stalking frequently establish new names or addresses in order to prevent their assailants or probable assailants from finding them. The purpose of this chapter is to enable state and local agencies to respond to requests for public records without disclosing the changed name or location of a victim of domestic violence, sexual assault, or stalking, to enable interagency cooperation with the Secretary of State in providing name and address confidentiality for victims of domestic violence, sexual assault, or stalking, and to enable state and local agencies to accept a program participant's use of an address designated by the Secretary of State as a substitute mailing address.

**GC 6207 – Use of substitute address by state and local agencies; mail forwarding**

(a) A program participant may request that state and local agencies use the address designated by the Secretary of State as his or her address. When creating a public record, state and local agencies shall accept the address designated by the Secretary of State as a program participant's substitute address, unless the Secretary of State has determined both of the following:

(1) The agency has a bona fide statutory or administrative requirement for the use of the address which would otherwise be confidential under this chapter.

(2) This address will be used only for those statutory and administrative purposes and shall not be publicly disseminated.

(b) A program participant may request that state and local agencies use the address designated by the Secretary of State as his or her address. When modifying or maintaining a public record, excluding the record of any birth, fetal death, death, or marriage registered under Division 102 (commencing with Section 102100) of the Health and Safety Code, state and local agencies shall accept the address designated by the Secretary of State as a program participant's substitute address, unless the Secretary of State has determined both of the following:

(1) The agency has a bona fide statutory or administrative requirement for the use of the address which would otherwise be confidential under this chapter.

(2) This address will be used only for those statutory and administrative purposes and shall not be publicly disseminated.
(c) A program participant may use the address designated by the Secretary of State as his or her work address.

(d) The office of the Secretary of State shall forward all first-class mail and all mail sent by a governmental agency to the appropriate program participants. The office of the Secretary of State may, in its discretion, refuse to handle or forward packages regardless of size or type of mailing.

(e) Notwithstanding subdivisions (a) and (b), program participants shall comply with the provisions specified in subdivision (d) of Section 1808.21 of the Vehicle Code if requesting suppression of the records maintained by the Department of Motor Vehicles. Program participants shall also comply with all other provisions of the Vehicle Code relating to providing current address information to the department.
SUPPLEMENTAL CODES

EC 38139 – Missing children; posting of information in specified areas of public primary and secondary

(a) Public primary schools shall post at an appropriate area restricted to adults information regarding missing children provided by the Department of Justice pursuant to Section 14208 of the Penal Code.

(b) Public secondary schools shall post at an appropriate area information regarding missing children provided by the Department of Justice pursuant to Section 14208 of the Penal Code.

EC 46300 – Method of computing average daily attendance (in part – kindergarten and transitional kindergarten)

(g)(1) In computing the average daily attendance of a school district, there shall be included the attendance of pupils in kindergarten after they have completed one school year in kindergarten or pupils in a transitional kindergarten program after they have completed one year in that program if one of the following conditions is met:

(A) The school district has on file for each of those pupils an agreement made pursuant to Section 48011, approved in form and content by the department and signed by the pupil's parent or guardian, that the pupil may continue in kindergarten for not more than one additional school year.

(B) The pupils participated in a transitional kindergarten program pursuant to subdivision (c) of Section 48000.

(2) A school district may not include for apportionment purposes the attendance of any pupil for more than two years in kindergarten or for more than two years in a combination of transitional kindergarten and kindergarten.

EC 48203 – Reports of severance of attendance of children with exceptional needs or handicapped children; examination; hearings

(a) The superintendent of a school district and the principal of a private school in each county shall, upon the severance of attendance or the denial of admission of any child who is an individual with exceptional needs, as that term is defined in Section 56026, or who is a qualified handicapped person, as that term is defined in regulations promulgated by the United States Department of Education pursuant to Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), but who is otherwise subject to the compulsory education laws of California, report the severance, expulsion, exclusion, exemption, transfer, or suspension beyond 10 school days to the county superintendent of schools. The report shall include names, ages, last known address, and the reason for the severance, expulsion, exclusion, exemption, transfer, or suspension.
EC § 48203 Continued

(b) It is the duty of the county superintendent to examine those reports and draw to the attention of the county board of education and governing board of a school district any cases in which the interests of the child or the welfare of the state may need further examination.

(c) After a preliminary study of available information in cases referred to it, the county board of education may, on its own action, hold hearings on those cases in the manner provided in Section 48914 and with the same powers of final decision as therein provided.

EC 49068.5 – Enrollment or transfer of pupils; examination of missing children’s bulletins by school officials

Upon the initial enrollment of a pupil in a public or private elementary school; or whenever an elementary school pupil (a) transfers from one school district to another, (b) transfers to an elementary school within the same district, (c) transfers from one private elementary school to another, (d) transfers from a private elementary school to a public elementary school, or (e) transfers from a public elementary school to a private elementary school, the principal of the school that the child enters or to which he or she transfers is urged to check to see if the child resembles a child listed as missing by the bulletins provided by the Department of Justice pursuant to Section 14201 of the Penal Code.

EC 49408 – Information for use in emergencies

For the protection of a pupil's health and welfare, the governing board of a school district may require the parent or legal guardian of a pupil to keep current at the pupil's school of attendance, emergency information including the home address and telephone number, business address and telephone number of the parents or guardian, and the name, address and telephone number of a relative or friend who is authorized to care for the pupil in any emergency situation if the parent or legal guardian cannot be reached.
INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY
FOR MILITARY CHILDREN
EC 49701

The provisions of the Interstate Compact on Educational Opportunity for Military Children are as follows:

Article I. Purpose

It is the purpose of this compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

(A) Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school district(s) or variations in entrance/age requirements.

(B) Facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment.

(C) Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.

(D) Facilitating the on-time graduation of children of military families.

(E) Providing for the promulgation and enforcement of administrative rules implementing the provisions of this compact.

(F) Providing for the uniform collection and sharing of information between and among member states, schools, and military families under this compact.

(G) Promoting coordination between this compact and other compacts affecting military children.

(H) Promoting flexibility and cooperation between the educational system, parents and the student in order to achieve educational success for the student.

Article II. Definitions

As used in this compact, unless the context clearly requires a different construction:

(A) "Active duty" means: full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211.

(B) "Children of military families" means: a school-aged child or children, enrolled in Kindergarten through Twelfth (12th) grade, in the household of an active duty member.

(C) "Compact commissioner" means: the voting representative of each compacting state appointed pursuant to Article VIII of this compact.
(D) "Deployment" means: the period one (1) month prior to the service members' departure from their home station on military orders though six (6) months after return to their home station.

(E) "Educational records" means: those official records, files, and data directly related to a student and maintained by the school or local education agency, including, but not limited to, records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

(F) "Extracurricular activities" means: a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the local education agency. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

(G) "Interstate Commission on Educational Opportunity for Military Children" means: the commission that is created under Article IX of this compact, which is generally referred to as Interstate Commission.

(H) "Local education agency" means: a public authority legally constituted by the state as an administrative agency to provide control of and direction for Kindergarten through Twelfth (12th) grade public educational institutions.

(I) "Member state" means: a state that has enacted this compact.

(J) "Military installation" means: a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other U.S. Territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

(K) "Non-member state" means: a state that has not enacted this compact.

(L) "Receiving state" means: the state to which a child of a military family is sent, brought, or caused to be sent or brought.

(M) "Rule" means: a written statement by the Interstate Commission promulgated pursuant to Article XII of this compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

(N) "Sending state" means: the state from which a child of a military family is sent, brought, or caused to be sent or brought.

(O) "State" means: a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other U.S. Territory.

(P) "Student" means: the child of a military family for whom the local education agency receives public funding and who is formally enrolled in Kindergarten through Twelfth (12th) grade.
(Q) "Transition" means: 1) the formal and physical process of transferring from school to school or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

(R) "Uniformed service(s)" means: the U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the U.S. Public Health Services.

(S) "Veteran" means: a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

Article III. Applicability

(A) Except as otherwise provided in Section B, this compact shall apply to the children of:

(1) Active duty members of the uniformed services as defined in this compact, including members of the National Guard and Military Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211;

(2) Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and

(3) Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

(B) The provisions of this interstate compact shall only apply to local education agencies as defined in this compact.

(C) The provisions of this compact shall not apply to the children of:

(1) Inactive members of the National Guard and Military Reserve;

(2) Members of the uniformed services now retired, except as provided in Section A;

(3) Veterans of the uniformed services, except as provided in Section A; and

(4) Other U.S. Dept. of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

Article IV. Educational Records and Enrollment

(A) Unofficial or "hand-carried" education records - In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission to the extent feasible. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

(B) Official education records/transcripts - Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the
receiving state within ten (10) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission to the extent practicable in each case.

(C) Immunizations - Compacting states shall give thirty (30) days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission, for students to obtain any immunization(s) required by the receiving state. For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

(D) Kindergarten and First (1st) grade entrance age - Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including Kindergarten) from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on his or her validated level from an accredited school in the sending state.

Article V. Placement and Attendance

(A) Course placement - When the student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student’s enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered and there is space available, as determined by the school district. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, vocational, technical and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

(B) Educational program placement - The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in like programs in the sending state, provided that the program exists in the school and there is space available, as determined by the school district. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

(C) Special education services - 1) In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. Section 1400 et seq., the receiving state shall initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP); and 2) In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C.A. Section 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C.A. Sections 12131-12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 or Title II Plan, to provide the
student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

(D) Placement flexibility - Local education agency administrative officials shall have flexibility in waiving course/program prerequisites, or other preconditions for placement in courses/programs offered under the jurisdiction of the local education agency.

(E) Absence as related to deployment activities - A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the compact, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

Article VI. Eligibility

(A) Eligibility for enrollment

(1) Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law, shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

(2) A local education agency shall be prohibited from charging local tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

(3) A transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis, who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

(B) Eligibility for extracurricular participation - State and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified and space is available, as determined by the school district.

Article VII. Graduation

In order to facilitate the on-time graduation of children of military families, states and local education agencies shall incorporate the following procedures:

(A) Waiver requirements - Local education agency administrative officials shall use best efforts to waive specific courses required for graduation if similar coursework has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the local education agency shall use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time.

(B) Exit exams - States shall accept: 1) exit or end-of-course exams required for graduation from the sending state; or 2) national norm-referenced achievement tests; or 3) alternative testing, in lieu of testing requirements for graduation in the receiving state; or 4) in California,
the passage of the exit examination adopted pursuant to Section 60850 is required for the student to graduate if the diploma is to be issued by a California public school, as long as it is a requirement in California. In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his or her Senior year, then the provisions of Section C of this Article shall apply.

(C) Transfers during Senior year - Should a military student transferring at the beginning or during his or her Senior year be ineligible to graduate from the receiving local education agency after all alternatives have been considered, the sending and receiving local education agencies shall make best efforts to ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with Sections A and B of this Article.
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Board Meeting — March 18, 2014

Item VIII. Recommendations

A. Approval of First Reading Board Policy [BP 0420.4] (Charter Schools), [BB 9323.2] (Actions by the Board), [BP 5141.21] (Admin Med. Monitoring Health Condition), [BP 5146] (Married Pregnant Students), [BP 6142.6] (Visual Performing Arts), [BP 6142.91] (Reading Language Arts Instruction), [BP 6162.51] (State Academic Achievement Tests)

The above policy is being revised to update and align LACOE with the CSBA numbering system. LACOE will benefit from CSBA’s periodic updates based on changes to the law including Education Code and other applicable statutes, regulations, and court decisions.
CHARTER SCHOOLS

Purpose and Scope

The County Board when considering charter petitions shall be guided by the intent of the Legislature, that quality charter schools are and should be an integral part of the California educational system. The County Board encourages charter schools in order to create an opportunity to implement accountability-based, school-level reform, support innovations which improve student learning, and provide choice for parents. These schools shall operate under the provisions of their charters, applicable state and federal laws, and the general oversight of the County Board.

The County Board shall only grant a charter if it is satisfied that doing so is consistent with sound educational practice and the petition complies with the applicable requirements of Education Code.

The County Board supports this effort by establishing a clearly defined system for reviewing petitions and determining the effectiveness of the charter schools it authorizes. Charter schools are public schools; as such, their performance is subject to review and comparison with any other publicly funded school and its demographic composition should reflect the school district in which it is located.

Chartering Authority – The agency that grants the charter for a charter school. Under most circumstances, the chartering authority has primary responsibility for monitoring and oversight of the charter school and the authority to reauthorize the charter as well as to revoke the charter if the school does not meet the conditions of its charter or of law. The County Board receives some types of charter petitions directly and receives others only on appeal after denial by a school district board. The County Board delegates the administrative functions of receiving, reviewing, and reporting on charter petitions to the County Superintendent. The County Board may act as the chartering authority to the following:

Direct County Charter – A charter school that serves pupils for whom LACOE would otherwise be responsible for providing direct education and related services. Students must have been expelled and/or currently be on probation. A petition for this type of charter school is submitted directly to the County Board. (Education Code 47605.5)

Countywide Charter – A charter school that operates at one or more sites within the geographic boundaries of the county and provides instructional services not generally provided by LACOE. There must be reasonable justification for why the charter could not be established by petition to a local school district. A petition for this type of charter school is submitted directly to the County Board. (Education Code 47605.6)

County Conversion Charter – An existing public school operated by LACOE that converts to a charter school. The petition must be supported by over 50% of the teachers
employed at the school and is submitted directly to the County Board. (Education Code 47605.5)

Previously Denied Charter Petition on Appeal – The County Board considers petitions for the establishment of a charter school if a school district board denied the petition based on written factual findings, and the petitioner wishes to appeal that decision. The County Board may receive petitions on appeal for new and non-renewed charter schools. The County Board shall review and may approve only the same petition that was denied by the school district board except for those changes necessary to reflect the County Board as the authorizer. To ensure the petition is the same one denied by the school district board, the petitioner shall submit or have the district submit, a certified copy of the petition acted upon by the local district board; receipt of this certified copy of the petition triggers the timeline for County Board action. If the County Board grants the charter, it shall be the chartering authority that has primary responsibility and oversight of the charter school. (Education Code 47605(j)(l)). If the County Board denies the petition, the petitioner may appeal to the State Board of Education (SBE).

Timelines

Public Hearing – No later than 30 calendar days after receiving a petition that complies with all requirements set forth in law, or 60 calendar days in the case of a countywide charter, the County Board shall hold a public hearing on the provisions of the charter. At the public hearing, the County Board shall consider the level of support for the petition by teachers, parents, and other interested parties.

County Board Decision – No later than 60 calendar days after receiving a petition that complies with all requirements set forth in law, or 90 calendar days in the case of a countywide charter, the County Board shall either grant or deny the charter. The date of the decision may be extended an additional 30 calendar days if both parties agree to the extension. The request for an extension must be made prior to the County Board taking a vote to approve or deny the charter petition.

Appeal of Denied Petition to Establish a Charter School – The County Board must receive the petition for the establishment of a charter school that was denied by a school district board, not later than 180 calendar days after the denial action. Any appeal for the establishment of a charter school received more than 180 calendar days after denial will not be acted upon by the County Board. If the County Board fails to act on the appeal of a petition for the establishment of a charter school within 60 calendar days, the petitioner may elect to appeal to the SBE. If the County Board fails to act on the appeal within 120 calendar days of receipt, the decision of the school district board to deny a petition shall, thereafter, be subject to judicial review.
CHARTER SCHOOLS (continued)

Renewal Petitions – If the petition for the renewal of a charter school, which at a minimum is comprised of all requirements in Education Code 47607 and the California Code of Regulations, Title 5 section 11966.5, was denied by a school district board, the County Board must receive the petition no later than 30 calendar days after the school district board makes written factual findings. A petition for renewal not submitted to the County Board within this time shall be considered denied with no further options for administrative appeal. The County Board and the charter petitioner may extend this date by an additional 30 calendar days only by written mutual agreement. The date of the decision may be extended an additional 30 calendar days if both parties agree to the extension. If the school district board did not comply with the statutory and regulatory timelines for making written factual findings for denial of a renewal petition, the petition is deemed approved by the school district board and the County Board has no jurisdiction to hear an appeal.

The County Board must take action to approve the extension or may initiate the request for an extension. The County Board delegates the authority to receive the request for an extension to the County Superintendent of Schools. The County Superintendent must receive the request no later than 30 calendar days from the date the school district made its written findings of fact.

No later than 60 calendar days after receiving a renewal petition, whether submitted to the County Board as the authorizer or on appeal, the County Board shall either grant or deny the charter. The date of the decision may be extended an additional 30 calendar days if both parties agree to the extension. The request for an extension must be made prior to the County Board taking a vote to approve or deny the charter petition.

If the County Board denies or takes no action, the charter school may submit the petition for renewal to the SBE.
The renewal of a countywide charter is exempt from this provision.

The renewal petition for charter schools authorized by the County Board may be submitted no earlier than the date the California Department of Education (CDE) releases the schools’ Growth Academic Performance Index (API) Report for the school year prior to the last year of the term of the charter and no later than January 31st of the last year of the term of the charter. A charter school may apply for renewal prior to the release of the API Report referenced above if it can demonstrate the school has met the statutory criteria for renewal without the information contained in this report.
CHARTER SCHOOLS (continued)

Approval or Denial of Petitions

All meetings of the County Board at which the granting, revocation, appeal, or renewal of a charter petition is to be discussed shall be subject to the State open meeting laws. (Education Code 46708)

The County Board shall grant a charter for the operation of a direct county charter, county conversion charter, or previously denied charter petition appeal only if it is satisfied that granting the charter is consistent with sound educational practice. The County Board may only deny those petitions previously denied by a school district board if it makes written factual findings, specific to the petition, in support of one or more of the findings stated in 1 through 5, below.

The County Board may grant a charter for the operation of a countywide charter if the County Board is satisfied that granting the charter is consistent with sound educational practice and the charter school has reasonable justification for why it could not be established by petition to a school district under Education Code 47605. The County Board may impose any additional requirements beyond those of Education Code 47605.6 that it considers necessary for the sound operation of a countywide charter. The County Board shall deny a petition for the establishment of a countywide charter if it makes written factual findings, specific to the petition, in support of one or more of the findings stated in 1 through 5, below.

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

3. The petition does not contain the required number and type of signatures.

4. The petition does not contain an affirmation that the charter school shall be nonsectarian, shall not charge tuition, shall not discriminate on the basis of ethnicity, national origin, gender, or disability, and, except as specified by law, that admission to the school shall not be determined according to the place of residence of the pupil or his or her parent or guardian within this State.

5. The petition does not contain reasonably comprehensive descriptions of all the required elements as specified by Education Code 47605(b) or Education Code 47605.6 in the case of a countywide charter.

Under Education Code 47605(b)(5)(G) and 47605.6(b)(5)(H), which described the plan to achieve a Racial and Ethnic balance reflective of the general population residing within the geographic boundaries of the school district in which the charter proposes to locate (or in the case of a countywide charter, the geographic boundaries of LACOE) the
CHARTER SCHOOLS (continued)

plan should strive to achieve the racial and ethnic balance of the students enrolled in the school district (or in the case of a countywide charter, all school districts in Los Angeles county) as reported by CDE. In the case of a direct county charter, the plan should be based on the Racial and Ethnic balance of adjudicated and expelled youth served by LACOE and any of its charter schools that are authorized to serve this student population.

6. The County Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the Special Education Local Plan Area (SELPA) in which LACOE or in the case of a Previously Denied Charter Petition Appeal, the district that denied the petition participates. (Education Code 47605.7, 47647)

7. The approval or denial of a charter petition shall not be controlled by collective bargaining agreements or subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

8. In granting charter petitions, the County Board shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for academically low-achieving students according to standards established by the CDE. (Education Code 47605(h))

9. The County Board shall not grant any charter that authorizes the conversion of a private school to a charter school. (Education Code 47602)

Additional Requirements

In addition to numbers 1 through 9, above, the County Board must consider the additional requirements of Education Code 47605(c) through (m) for all charters except where the Education Code refers to the State Board. These additional requirements include, but are not limited to, submission of a first year operational budget including startup costs, cash flow and financial projections for the first three (3) years of operation; submission of the annual audit report; teacher credentialing requirements, and the description and location of the proposed charter.

A charter school that receives approval of its petition from the County Board on appeal shall be subject to the same requirements concerning geographic location and grade levels to be served to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition.

The initial term of an approved charter may be one (1) to five (5) years at the discretion of the County Board. The term of all charters shall expire on June 30 of the final year of the charter term, unless otherwise specifically stated in the approval action of the County Board.
CHARTER SCHOOLS (continued)

Charter schools shall comply with all conflict of interest laws that pertain to public agencies including Government Code 1090 and the Political Reform Act. (Government Code 87100 et seq.) The County board’s conflict of interest code includes the filing of the Form 700 Statement of Economic Interests with LACOE.

Charter schools are responsible for complying with the Ralph M. Brown Act and the California Public Records Act.

Charter schools shall not charge students fees, deposits, or other charges for participation in educational activities offered by the charter school, including curricular and extracurricular activities. Charter schools shall maintain policies with regard to student fees and provide a complaint process under the uniform complaint procedures. (Education Code 49010; Government Code Sec. 905)

Charter schools shall not deny a pupil enrollment or readmission solely on the basis that the student has had contact with the juvenile justice system. (Education Code 4864.5)

Standard Conditions of Authorization – If the County Board approves the establishment or renewal of a charter, the governing board of the charter school shall, prior to commencing operations under the term of that charter, fulfill all the standard conditions of authorization, which may include, but are not limited to, making changes to the petition necessary to reflect the County Board as the authorizer; signing the LACOE Monitoring and Oversight Memorandum of Understanding (MOU) which includes adherence to all requirements established therein; submitting a school safety/student discipline plan which finalizes the reasons a student may and must be suspended or expelled and the policies, procedures, and process for suspending and expelling students; finalizing the curriculum to be used and the scope and sequence of all subjects to be offered; providing evidence of applying to or membership in a SELPA; providing evidence of insurance; and submitting to a facilities inspection. Additionally, the charter school shall commence operations within the timeframe specified in the approval action and commence instruction by September 30 of the first year of operation. Failure of the charter school to fulfill the standard conditions of authorization is grounds for termination or revocation of the charter.

Where provisions of the MOU differ from provisions of the charter, and the difference would not require a material revision to the charter, the provisions of the MOU prevail.

In the case of a countywide charter, the County Board may impose additional conditions of authorization. (Education Code 47605.6 (b))

If the County Board denies the charter, the petitioner may appeal to the SBE except in the case of a countywide charter.
Special Education

The charter shall comply with all applicable requirements of state and federal law regarding the provision of special education services. (Education Code 56000 et. seq., Individual with Disabilities Education Act 20 U.S.C. Chapter 33)

Material Revisions

A material revision is a change to the content of an authorized charter that affects substantively the process or manner in which the charter school operates. Some examples of material revisions include changes to the vision, mission, instructional design, accountability plan, location of facilities, governance or operational structure, grade levels or number of pupils to be served, admissions requirements or procedures, and changes that affect the charter school’s fiscal status. Material revisions to an authorized charter may be made only with County Board approval. (Education Code 47605(a)(4), 47607(a)(1))

Material revisions are governed by the same standards and criteria in Education Code 47605. Revisions shall include, but are not limited to a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

Waivers

If the governing board of a charter school authorized by the County Board wishes to submit to the SBE an application for a waiver of any Education Code provision, the application must first be presented to the County Board. The County Board shall hold a public hearing on the waiver request no later than 90 days following receipt of the request and prepare a summary of the public hearing to be forwarded with the waiver request to the SBE. If the County Board recommends against approval of the waiver request, it shall set forth written reasons for its disapproval and forward those reasons to the SBE. (Education Code 33050)

Accountability, Monitoring, and Oversight

Charter schools are governed at the school level in accordance with the provisions of the charter and all applicable laws.

The County Board supports this effort by approving a defined accountability system for monitoring the educational effectiveness, statutory compliance, governance and operational structures, and fiscal condition of the charter schools it authorizes. The County Board also monitors whether the charter school implements the terms of the charter as authorized.

Charter schools granted by the County Board shall be held accountable for pupil performance, including meeting measurable pupil outcomes and making satisfactory yearly progress on state and federal accountability measures.
The County Board delegates the administrative function of monitoring and oversight of its charter schools to the County Superintendent. In fulfilling this statutory responsibility, the County Board is guided by the intent of the Legislature that charter schools shall provide innovative, accountability-based reform that improves student learning and provides choice for parents. Monitoring shall be on an ongoing basis in accordance with applicable laws and the MOU. The County Board and LACOE staff may inspect or observe any part of the charter school at any time. (Education Code 47607(a)(1))

An annual written report to the County Board regarding fiscal accountabilities, pupil performance, governance, and charter school-specific accountabilities shall be made in accordance with provisions of law and as established in the MOU. The report shall be submitted no later than the first Friday in December in a format satisfactory to the County Board. Fiscal reporting shall be during the sixth month following the close of the fiscal year. The content and format shall be satisfactory to the County Board.

Charter Renewal

The County Board shall renew the charter for a charter school if the school provides documentation it has met one of the academic performance criteria established by Education Code 47607(b) and the charter petition submitted for renewal meets the conditions established by Education Code 47605 or, in the case of a countywide charter, 47605.6. Increases in pupil academic achievement for all groups of pupils, including all numerically significant student subgroups, served by the charter school shall be the most important factor in determining whether to grant renewal. In addition to the academic performance criteria under Education Code 47607(b), the County Board shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any. In the case of a countywide charter, the County Board also considers any additional requirement it established when the charter was granted.

The County Board may deny a petition for renewal of a charter school, except a countywide charter, only if it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the grounds for denial set forth in Education Code 47605(b) or the school fails to demonstrate it has met one of the criteria set forth in Education Code 47607(b).

In the case of a countywide charter, the County Board may only grant the renewal if it makes written factual findings that comply with the requirements of Education Code 47605.6(b) and the school demonstrates it has met one of the criteria set forth in 47607(b).

All renewal petitions must contain a reasonably comprehensive description of any new requirements of charter schools enacted into law after the charter was granted or last renewed.

Each renewal shall be for a period of five (5) years.
CHARTER SCHOOLS (continued)

A petition to renew a charter authorized by the County Board may be submitted after the CDE releases the Growth Academic Performance Index (API) report for the year prior to the last year of the charter term but no later than January 31st of the last year of the charter term.

Founding Parents/Founders Preference

The County Board has discretion to permit admission preferences in addition to those established in Education Code 47605(d)(2)(A) on an individual school basis and only if consistent with the law. Founding Parents/Founders are one example of an enrollment lottery preference that may be granted.

The founders’ admission preference, if such a preference is to be offered, must be included in the petition to establish the charter. The petition must provide a reasonably comprehensive description that addresses and complies with the following:

Founding Period – The specific time period during which the charter petition team is developing the charter school through the school's first day of instruction. A school may not add to the founding group after the first day of instruction.

Founding Parents/Founders – Parents, legal guardians, or individuals who contribute substantial personal time and effort to develop the new charter school during the established Founding Period noted above. There shall be no requirement that Founding Parents/Founders contribute funds as a part of their commitment. Petitioners must prescribe in the charter petition the eligibility criteria for Founding Parents/Founders, including defining the appropriate minimum number of required volunteer hours. Founding Parent status cannot be delegated or transferred to other individuals.

Preference for Children of Founding Parents/Founders – The preference may apply during the life of the charter as long as the number of pupils who qualify for this preference does not constitute more than ten (10) percent of the school's enrollment. The admissions preference is applicable to all children of the charter school's Founding Parents/Founders even if the children do not begin attending the charter school until after the school's first year of operation.

Dispute Resolution Procedure

The County Board shall only approve a dispute resolution procedure if it is equitable to both parties. The County Board may condition its approval of a charter petition subject to the petitioner(s) making changes to the dispute resolution procedure that is equitable to both parties. Such changes must be made prior to the first day of the charter term.

Both parties will attempt to settle such dispute by meeting and conferring in a good faith attempt to resolve the dispute.
Charter Revocation

Revocation of a Charter Authorized by the County Board

The County Board shall hold each charter school it authorizes accountable for fulfilling the terms of its charter and adhering to all applicable state and federal laws. A charter may be revoked by the County Board if it makes findings supported by substantial evidence that the charter school committed a material violation of any of the conditions, standards, or procedures of its charter, failed to meet or pursue any of the pupil outcomes identified in its charter, failed to meet generally accepted accounting principles, engaged in fiscal mismanagement, or violated any provision of law. The County Board shall consider increases in pupil achievement for all groups of pupils served by the charter school as the most important factor in determining whether to revoke a charter. (Education Code 47607)

Prior to revocation, the County Board must notify the charter school of the violation and provide it with a reasonable opportunity to remedy the violation, unless the County Board determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of its pupils, in which case, the revocation may be immediate.

Process and Timelines

Notice of Violation and Opportunity to Remedy – Prior to revocation, the County Board must:

1. Issue a Notice of Violation that includes specific, alleged violations; all evidence showing violations are material and uncured, and occurred within a reasonable period of time before the Notice of Violation is issued; and provide the reasonable period of time for the charter school to remedy or refute the violations.

2. At least 72 hours prior to any County Board meeting at which the County Board will consider issuing a Notice of Violation, the County Board shall provide the charter school with notice and all relevant documents related to the proposed action.

3. The governing board of the charter school may respond in writing to each alleged violation (refutation, remedial action taken, proposed remedial action) and provide evidence of such. The County Board delegates the authority to receive the response to the County Superintendent.

Notice of Intent to Revoke and Public Hearing – After the conclusion of the reasonable opportunity to remedy, the County Board shall evaluate the charter school’s response and any supporting evidence. If there is substantial evidence that the charter school failed to refute or remedy a violation, the County Board shall continue revocation by issuing Notice of Intent to Revoke. If the County Board is satisfied that there is no substantial evidence, it shall discontinue revocation and provide timely written notice to the charter school.
CHARTER SCHOOLS (continued)

If the County Board does not take action within 60 days of the conclusion of the remedy period, the revocation process is terminated and the Notice of Violation is void.

The Notice of Intent to Revoke must include all evidence relied upon by the County Board in determining a violation occurred, and the date and time of the public hearing concerning revocation, which shall be held no more than 30 calendar days after the Notice of Intent to Revoke is issued.

Public Hearing on Revocation

On the date and time specified in the Notice of Intent to Revoke, the County Board will hold a Public Hearing on the revocation.

Final Decision on Revocation – No more than 30 calendar days after Public Hearing, or no later than 60 calendar days with the written consent of both parties, the County Board shall issue a Final Decision on the revocation.

LACOE will provide a copy of the Final Decision of the action taken by the County Board at the Public Hearing to the CDE within ten (10) calendar days of issuing the Final Decision.

If the County Board revokes the charter, the charter school may appeal to the SBE. If the SBE reverses the decision of the County Board, the County Board continues as the authorizer.

Charter Revocation When There is a Severe and Imminent Threat to the Health or Safety of Pupils

When the County Board determines there is a violation of Education Code 47607(c) that constitutes a severe and imminent threat to the health or safety of pupils, the County Board is exempt from the requirements of the California Code of Regulations, Title 5 section 11968.5.2 and may immediately revoke the school’s charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school’s governing board and the CDE. Following approval and delivery of the Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety by the County Board, the charter school’s governing board may appeal to the SBE pursuant to Education Code 47607(f) and (g).

Appeal of the Revocation of a Charter by a School District Board

The County Board may consider the appeal of a charter revocation made by a school district board. The County Board must receive a written Notice of Appeal within 30 days of receipt of the Final Decision on revocation from the school district board or the County Board shall not act on the appeal. The County Board delegates to the County Superintendent the administrative function of receiving the Notice of Appeal of a revocation, evaluating and reporting on the revocation process at the school district level, and providing required
CHARTER SCHOOLS (continued)

notifications subsequent to the County Board’s action. The Notice of Appeal must include a
copy of the Notice of Violation, Notice of Intent to Revoke, and Final Decision issued to the
charter school by the school district board; evidence of a final action (vote) by the school
district board; evidence relied on by the school district board to determine there was
substantial evidence of failure to remedy violation(s) in the Notice of Violation; a written
statement from the charter school; minutes of any public meeting where the school district
board considered or made its decision to revoke.

The County Board shall identify any procedural omissions or errors the charter school alleges
to have occurred unless the school district board did not provide the required documents. The
County Board must consider whether the school district board allowed for all processes
outlined in the California Code of Regulations, Title 5 including whether it provided all
procedural steps, whether the charter school’s response, if any, complied with the procedures,
and whether an alleged procedural deficiency negatively impacted charter school’s ability to
refute or remedy an alleged violation.

If the County Board does not issue a written decision within 90 calendar days, the decision of
the school district is upheld. If the County Board does not issue a written decision or upholds
the revocation, the charter school may appeal the revocation to the SBE.

The County Board may reverse the revocation if it determines that the findings made by the
school district board were not supported by substantial evidence. In making that
determination, the County Board shall consider whether the school district board provided
the charter school’s governing body a Notice of Violation, a reasonable opportunity to
remedy the identified violation(s), a Notice of Intent to Revoke, a public hearing, and Final
Decision. If the charter school submits a response to the Notice of Violation, the County
Board shall also consider whether the charter school complied with the regulatory
procedures. The County Board shall also consider whether an alleged procedural deficiency
negatively impacted the charter school’s ability to refute or remedy the alleged violation or
the chartering authority’s ability to comply with its procedural obligations or authorizing
duties. The school district board may appeal the reversal to the SBE. If the County Board
reverses the decision of the school district board, the school district board remains the
chartering authority. (Education Code 47607(h))

An appeal of a Notice of Revocation by Determination of a Severe and Imminent Threat to
Pupil Health or Safety is considered in the much the same manner as any other appeal of a
revocation; specific differences are outlined in the California Code of Regulations, Title 5
sections 11968.5.3(c) – (e).

The County Board may elect to take action not to issue a written decision prior to 90
calendar days of receipt of a Notice of Appeal of a revocation.
CHARTER SCHOOLS (continued)

Finance

The County Superintendent may charge for the actual costs of oversight of a charter school not to exceed any limits imposed in law. The County Board is not required to provide facilities for charter schools, and will not do so. The County Superintendent shall not place upon the County Office any additional financial liability for the operation of charter schools.

In the case of a countywide charter, the County Board may, at the expense of the charter school, engage a third-party, selected by the County Board, to oversee, monitor, or report to the County Board and County Superintendent on the operations of the charter school pursuant to Education Code 47605.6(c).

Fiscal Accountability

The County Board and LACOE will require evidence that the charter school demonstrates effective fiscal accountability. The charter school must demonstrate that:

1. It has established and maintains positive fund and cash balances to ensure solvency. Failure to remain solvent is grounds for revocation of the charter.

2. LACOE will not provide funds to meet on-going fiscal operations or obligations to a charter school authorized by the County Board.

3. A charter school authorized by the County Board must provide written notification prior to accepting public, private, or commercial loans or other debt instruments. Loan requests must be consistent with sound fiscal practices and repayment schedules included in budget proposal and other appropriate financial reports.

Non-Profit Board of Directors

Should a charter school elect to operate as, or be operated by, a non-profit public benefit corporation, the County Board may appoint a representative to serve on the board of directors of the corporation, and the corporation shall confer upon the appointee all rights and responsibilities exercised by any other director of the corporation. In order to avoid any conflict of interest, the policy of the County Board shall be that the members of this County Board shall not sit on the boards of charter schools it has chartered.

Policy adopted: September 3, 2013

LOS ANGELES COUNTY OFFICE OF EDUCATION

Downey, California
Board Bylaws

ACTIONS BY THE BOARD

The County Board shall act by a majority vote of four of the members constituting the County Board, unless otherwise required by law. To prevail on any matter, a motion must have four affirmative votes. Any fewer votes is considered a failed motion.

An “action” by the County Board means: (Government Code 54952.6)

1. A collective decision by a majority of the County Board members
2. A collective commitment or promise by a majority of the County Board members to make a positive or negative decision
3. A vote by a majority of the County Board members when sitting as the County Board upon a motion, proposal, charter appeal, interdistrict appeal, expulsion appeal, resolution, or order. This includes a failed motion.
4. A tie vote by the County Board members shall have the same effect as a failed motion.

The County Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

The Board President will explain the meaning and the number of votes required for a measure to pass prior to the vote being taken.

Actions taken by the County Board in open session shall be recorded in the County Board minutes. (Education Code 35145)

All votes on any action taken by the County Board shall be by roll call and recorded.

(cf. 9324 - Minutes and Recordings)

Action on Non-Agenda Items

After publicly identifying the item, the County Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the County Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the County Board members present, or if less than two-thirds of the County Board members are present then by a unanimous vote of all County Board members present, determine that the need to take immediate action came to LACOE’s attention after the agenda was posted
ACTIONS BY THE BOARD (continued)

3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

Challenging Board Actions

Any interested person or the district attorney’s office may present a demand that the County Board cure and correct a County Board action which he/she alleges is in violation of Government Code 54954.2 (agenda posting), Government Code 54953 (open meeting and teleconferencing), Government Code 54954.5 (closed session item descriptions), Government Code 54956 (special meetings), or Government Code 54956.5 (emergency meetings). (Government Code 54960.1)

Any demand to “cure and correct” an alleged violation shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the County Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the County Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.

2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.

3. Take no action. If the County Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action.

Legal References (see next page)
ACTIONS BY THE BOARD (continued)

Legal Reference:

**EDUCATION CODE**
- 15266 School construction bonds
- 17466 Declaration of intent to sell or lease real property
- 17481 Lease of property with residence for nondistrict purposes
- 17510-17511 Resolution requiring unanimous vote of all members constituting board
- 17546 Private sale of personal property
- 17556-17561 Dedication of real property
- 17582-17583 District deferred maintenance fund
- 35140-35149 Meetings
- 35160-35178.4 Powers and duties
- 48660-48661 Community day schools establishment and restrictions

**CODE OF CIVIL PROCEDURE**
- 425.16 Special motion to strike in connection with a public issue
- 1245.240 Eminent domain vote requirements
- 1245.245 Eminent domain, resolution adopting different use

**GOVERNMENT CODE**
- 53090-53097.5 Regulation of local agencies by counties and cities
- 53724 Parcel tax resolution requirements
- 53790-53792 Exceeding the budget
- 53820-53833 Temporary borrowing
- 53850-53858 Temporary borrowing
- 54950-54963 The Ralph M. Brown Act, especially:
  - 54952.6 Action taken, definition
- 54953 Meetings to be open and public; attendance; secret ballots
- 54960 Action to prevent violations
- 65352.2 Coordination with planning agency

**PUBLIC CONTRACT CODE**
- 3400 Bid specifications
- 20111 Contracts over $50,000; contracts for construction; award to lowest responsible bidder
- 20113 Emergencies, award of contracts without bids

**COURT DECISIONS**
- Boyle v. City of Redondo Beach, (1999) 70 Cal.App.4th 1109

Management Resources:

**CSBA PUBLICATIONS**
- The Brown Act: School Boards and Open Meeting Laws, 2009

**ATTORNEY GENERAL PUBLICATIONS**
- The Brown Act: Open Meetings for Local Legislative Bodies, 2003

**LEAGUE OF CALIFORNIA CITIES PUBLICATIONS**

**WEB SITES**
- CSBA: http://www.csba.org
- California Attorney General's Office: http://www.caag.state.ca.us
- Institute of Local Government: http://www.ca-ilg.org

Bylaw adopted: September 27, 2011

LOS ANGELES COUNTY OFFICE OF EDUCATION

Downey, California
ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The County Board recognizes that during the school day, some students may need to take medication prescribed or ordered by an authorized health care provider; to be functional at school and participate in the educational program. The County Superintendent or designee will develop processes for the administration of medication to these students. For any student with a disability, as defined under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program or Section 504 services plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

If a parent/guardian chooses, he/she may administer the medication to his/her child at school or designate another individual who is not a school employee to do so on his/her behalf.

(cf. 1250 - Visitors/Outsiders)
(cf. 6116 - Classroom Interruptions)

In addition, upon written request by the parent/guardian and with the approval of the student’s authorized health care provider, a student with a medical condition that requires frequent treatment, monitoring, or testing may be allowed to self-administer, self-monitor, and/or self-test. The student shall observe universal precautions in the handling of blood and other bodily fluids.

Special Programs

Students enrolled in LACOE programs or activities may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education, which may include sexually transmitted disease prevention and alcohol/drug abuse prevention.

1. If the health education course includes sexually transmitted disease prevention, parents/guardians will be notified of this component and have the opportunity to opt out.

2. If a guest speaker or guest facilitator will present information to students regarding HIV/AIDS prevention, parents/guardians shall be notified in advance of the presentation and have the opportunity to opt out.

LACOE may require physical examinations of students enrolled in LACOE programs or activities.

1. Any physical examination required by LACOE shall be kept confidential.
ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

2. If the student's parent/guardian refuses to consent to such an examination, LACOE reserves the right to temporarily exclude the student if there is a good reason to believe the student is suffering from a recognized contagious or infectious disease.

(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the County Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)

When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon, the County Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

The County Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.
ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Legal Reference:
EDUCATION CODE
48980 Notification at beginning of term
49407 Liability for treatment
49408 Emergency information
49414 Emergency epinephrine auto-injectors
49414.5 Providing school personnel with voluntary emergency training
49422-49427 Employment of medical personnel, especially:
49423 Administration of prescribed medication for student
49423.1 Inhaled asthma medication
49480 Continuing medication regimen; notice
BUSINESS AND PROFESSIONS CODE
2700-2837 Nursing, especially:
2726 Authority not conferred
2727 Exceptions in general
3501 Definitions
CODE OF REGULATIONS, TITLE 5
600-611 Administering medication to students
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
COURT DECISIONS

Management Resources:
AMERICAN DIABETES ASSOCIATION PUBLICATIONS
CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004
NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
American Diabetes Association: http://www.diabetes.org
California Department of Education, Health Services and School Nursing:
http://www.cde.ca.gov/ls/he/hn
U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma

Policy
adopted: June 5, 2012

LOS ANGELES COUNTY OFFICE OF EDUCATION
Downey, California
Students

BP 5146(a)

MARRIED/PREGNANT/PARENTING STUDENTS

The County Board recognizes that early marriage, pregnancy, or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The County Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6164.5 - Student Success Teams)

LACOE shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

(cf. 0410 - Nondiscrimination in LACOE Programs and Activities)
(cf. 5127 - Graduation Ceremonies and Activities)

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other district students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

(cf. 6142.7 - Physical Education and Activity)
(cf. 6145 - Extracurricular and Co-curricular Activities)

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through LACOE’s uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

The County Superintendent or designee shall periodically report to the County Board regarding the effectiveness of LACOE strategies to support married, pregnant, and parenting students, which may include data on participation rates in LACOE programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on LACOE programs and services.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

(cf. 6158 - Independent Study)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6184 - Continuation Education)
(cf. 6200 - Adult Education)

When necessary, LACOE shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child.

(cf. 6183 - Home and Hospital Instruction)

A student may be required, based on her pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she is physically and emotionally able to participate in an educational program or activity, if other students with physical or emotional conditions or temporary disabilities are required by LACOE to provide such certification. (34 CFR 106.40)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

(cf. 5113 - Absences and Excuses)

The County Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)
A pregnant or parenting student also may request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. (Education Code 48410)

(cf. 5112.1 - Exemptions from Attendance)

Legal Reference:

EDUCATION CODE
230  Sex discrimination
8200-8498 Child Care and Development Services Act
48205  Excused absences
48220  Compulsory education requirement
48410  Persons exempted from continuation classes
49553  Nutrition supplements for pregnant/lactating students
51220.5  Parenting skills and education
51745  Independent study
52610.5  Enrollment of pregnant and parenting students in adult education
54740-54749  Cal-SAFE program for pregnant/parenting students and their children

FAMILY CODE
7002  Description of emancipated minor

HEALTH AND SAFETY CODE
104460  Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5
4600-4687  Uniform complaint procedures
4950  Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22
101151-101239.2  General licensing requirements for child care centers
101351-101439.1  Infant care centers

UNITED STATES CODE, TITLE 20
1681-1688  Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42
1786  Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7
246.1-246.28  Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34
106.40  Marital or parental status

ATTORNEY GENERAL OPINIONS

COURT DECISIONS

Legal References (continued next page)
Legal References (continued)

Management Resources:

- CALIFORNIA WOMEN’S LAW CENTER PUBLICATIONS
  Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements
  The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

- U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
  Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

WEB SITES

- California Department of Education: http://www.cde.ca.gov
- California Women's Law Center: http://www.cwlc.org
VISUAL AND PERFORMING ARTS EDUCATION

The County Board believes that visual and performing arts are essential to a well-rounded educational program and should be an integral part of the course of study offered to students at all grade levels. LACOE’s arts education program shall provide opportunities for appreciation, creation, and performance of the arts.

In support to Common Core, as well as to specific core areas of study, Visual and Performing Arts (VAPA) lesson plans will be offered to teachers via newsletter, trainings, and by meeting the VAPA designee in an Adobe Connect classroom for individual concerns. The Visual and Performing Arts will also serve as a strong facet to the Academic Bowl for the Division of Student Programs and to the Very Special Arts Festival for the Division of Special Education.

(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)

The County Board shall adopt academic standards for dance, music, theatre, and visual arts that describe the skills, knowledge, and abilities that students shall be expected to possess. LACOE’s standards will meet or exceed state content standards for each of these disciplines.

(cf. 6011 - Academic Standards)

The County Superintendent of Schools or designee will follow curriculum designed to support the state VAPA framework that encompass the following strands:

1. Artistic perception: processing, analyzing, and responding to sensory information through the use of language and skills unique to each arts discipline
2. Creative expression: composing, arranging, and performing a work and using a variety of means to communicate meaning and intent in one's own original works
3. Historical and cultural context: understanding the historical contributions and cultural dimensions of an arts discipline
4. Aesthetic valuing: analyzing and critically assessing works of dance, music, theatre, and visual arts
5. Connections, relations, and applications: connecting, comparing, and applying what is learned in one arts discipline to learning in the other arts, other subject areas, and careers

(cf. 6141 - Curriculum Development and Evaluation)
VISUAL AND PERFORMING ARTS EDUCATION (continued)

The County Board shall adopt standards-based instructional materials for visual and performing arts in accordance with applicable law, County Board policy, and administrative regulation. In addition, the County Board encourages teachers to incorporate a variety of media and technologies into lessons, presentations, and explorations in each of the arts disciplines.

(cf. 0400 - District Technology Plan)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6161.3 - Toxic Art Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.1 - Library Media Centers)

The County Superintendent or designee will provide a standards-based professional development program designed to increase teachers’ knowledge of and ability to teach the arts and to implement adopted instructional materials.

(cf. 4131 - Staff Development)

The County Superintendent or designee will encourage, as a supplement to teacher instruction, the integration of community arts resources into the educational program. Such resources may include opportunities for students to attend musical and theatrical performances, observe the works of accomplished artists, and work directly with artists-in-residence and volunteers. In addition, the County Superintendent or designee may collaborate with community organizations to share resources and seek grant opportunities.

(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1260 - Educational Foundation)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6020 - Parent Involvement)
(cf. 6153 - School-Sponsored Trips)

The County Superintendent or designee will regularly evaluate and report to the County Board regarding the implementation of arts education and program effectiveness in enabling students to meet academic standards.

(cf. 0500 - Accountability)

Legal Reference: (see next page)
VISUAL AND PERFORMING ARTS EDUCATION (continued)

Legal Reference:

EDUCATION CODE
8820-8830 Arts Work Visual and Performing Arts Educational Program
8950-8957 California summer school of the arts
32060-32066 Toxic art supplies
35330 Field trips
51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51225.3 Graduation requirements
58800-58805 Specialized secondary programs
60200-60206 Instructional materials, elementary schools
60400-60411 Instructional materials, high schools
99200-99206 Subject matter projects

UNCODIFIED STATUTE
SB 77, Ch. 171, Statutes of 2007, Item 6110-265-0001 Arts and music block grant

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Curriculum Development, 1996
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Visual and Performing Arts Framework for California Public Schools: Kindergarten through Grade 12, 2004
Visual and Performing Arts Content Standards, January 2001

WEB SITES:
CSBA: http://www.csba.org
Arts Education Partnership: http://aep-arts.org
California Alliance for Arts Education: http://www.artsed411.org
California Arts Council: http://www.cac.ca.gov
California Art Education Association: http://www.caea-arteducation.org
California Music Education Association: http://www.calmusiced.com
California Dance Education Association: http://www.cedance.org
California Educational Theatre Association: http://www.cetoweb.org/ceta_pages
The California Arts Project: http://csmp.ucop.edu/tcap

Policy adopted: May 8, 2012
LOS ANGELES COUNTY OFFICE OF EDUCATION
Downey, California
READING/LANGUAGE ARTS INSTRUCTION

The County Board recognizes that reading and other language arts constitute the basic foundation for learning in other areas of study. The County Board desires to offer a comprehensive, balanced reading/language arts program that ensures all students have the skills necessary to read fluently and for meaning and develops students' appreciation for literature. The program shall integrate reading and oral and written language arts activities in order to build effective communication skills.

(cf. 6143 - Courses of Study)

For each grade level, the County Board shall adopt academic standards that meet or exceed Common Core State Standards in the following strands:

1. **Reading**: Foundational skills, text complexity and analysis, and the growth of comprehension
2. **Writing**: Text types, responding to reading, production and distribution of writings, and research
3. **Speaking and listening**: Oral language development, comprehension, flexible communication, and collaboration
4. **Language**: Conventions, effective use, knowledge of language, and vocabulary

(cf. 6011 - Academic Standards)

The County Superintendent or designee shall ensure that LACOE’s reading/language arts program offers sufficient access to common core standards-aligned textbooks and other instructional materials. The program shall provide instructional materials of varying levels of difficulty, including fiction and nonfiction works, so that students are continually reading at an appropriate level. In addition, technology should be available to support all areas of literacy.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6163.1 - Library Media Centers)
READING/LANGUAGE ARTS INSTRUCTION (continued)

Teachers are expected to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers. The program shall provide ongoing diagnosis of students' skills and, as needed, may provide supplementary instruction during the school day and/or outside the regular school session to assist students who are experiencing difficulty learning to read.

(cf. 5148.2 - Before/After School Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

The County Superintendent or designee shall make available professional development opportunities that are designed to provide instructional staff with knowledge about how students develop language skills, the ability to analyze students' literacy levels, and mastery of a variety of instructional strategies and materials.

(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The County Superintendent or designee shall provide the County Board with data from state and district reading assessments and program evaluations to enable the County Board to monitor program effectiveness.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)
(cf. 6190 - Evaluation of the Instructional Program)
READING/LANGUAGE ARTS INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE
41505-41508 Pupil Retention Block Grant
41530-41532 Professional Development Block Grant
44735 Teaching as a Priority Block Grant
44755-44757.5 Teacher Reading Instruction Development Program, K-3
51210 Areas of study, grades 1-6
51220 Areas of study, grades 7-12
60119 Sufficiency of textbooks and instructional materials
60200.4 Fundamental skills
60207 Curriculum frameworks
60350-60352 Core reading program instructional materials
60605 State-adopted content and performance standards in core curricular areas
60605.8 Common Core standards
99220-99221 California Reading Professional Development Institutes
99230-99242 Mathematics and Reading Professional Development Program (AB 466 trainings)

CODE OF REGULATIONS, TITLE 5
9535 Purchase of nonadopted core reading program instructional materials
11980-11985 Mathematics and Reading Professional Development Program (AB 466 trainings)
11991-11991.2 Reading First achievement index

UNITED STATES CODE, TITLE 20
6381-6381k Even Start Family Literacy Program
6383 Improving literacy through school libraries

Management Resources:

CSBA PUBLICATIONS
Governing to the Core, Governance Briefs
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, March 2013
Common Core State Standards for English Language Arts, August 2010
English Language Arts/English Language Development Framework for California Public Schools: Kindergarten Through Grade Twelve
Recommended Literature: Kindergarten Through Grade Twelve

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Reading/Language Arts: http://www.cde.ca.gov/ci/rl
STATE ACADEMIC ACHIEVEMENT TESTS

The County Board recognizes that state achievement test results provide an indication of student progress in achieving state academic standards and may be used to promote high-quality teaching and learning. The County Superintendent or designee shall administer mandatory student assessments within the California Assessment of Student Performance and Progress (CAASPP) as required by law and in accordance with Board policy and administrative regulation.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

The County Board expects all students at the applicable grade levels to participate in the state assessments in order to maximize the usefulness of the data and enable LACOE to meet participation levels required for state and federal accountability systems. The County Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)

The County Board shall annually examine state assessment results by school, grade level, and student subgroup as one measure of LACOE’s progress in attaining its student achievement goals and shall revise the local control and accountability plan and other district or school plans as necessary to improve student achievement for underperforming student groups.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 0500 - Accountability)
STATE ACADEMIC ACHIEVEMENT TESTS (continued)

Legal Reference:
EDUCATION CODE
49076 Student records; access
51041 Evaluation of educational program
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
56345 Individualized education program, contents
60600-60630 Assessment of academic achievement
60640-60649 California Assessment of Student Performance and Progress
60660-60663 Electronic learning assessment resources
60810 Assessment of language development
99300-99301 Early Assessment Program
CODE OF REGULATIONS, TITLE 5
850-864 State assessments
UNITED STATES CODE, TITLE 20
1412 Participation of students with disabilities in state assessments
6311 Adequate yearly progress
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1 Standards and assessment

Management Resources:
CSBA PUBLICATIONS
Supporting Student Achievement: Student Assessment System in Flux, Governance Brief, June 2013
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Assembly Bill 484 Questions and Answers
CALIFORNIA STATE UNIVERSITY PUBLICATIONS
The Early Assessment Program: Handbook for School Site Leaders, 2008
SMARTER BALANCED ASSESSMENT CONSORTIUM PUBLICATIONS
Usability, Accessibility, and Accommodations Guidelines, September 2013
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Testing and Accountability: http://www.cde.ca.gov/ta
California Learning Resources Network: http://clrn.org
California State University, Early Assessment Program: http://www.calstate.edu/eap
Smarter Balanced Assessment Consortium: http://www.smarterbalanced.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy
LOS ANGELES COUNTY OFFICE OF EDUCATION
adopted: Downey, California
Item X. Informational Items

A. Governmental Relations

Dr. Delgado will provide an update on Governmental Relations.
Board Meeting – March 18, 2014

Item X. Informational Items

B. Board Committee / Liaison Reports

Board members serving as Committee/Liaison representatives will report on their activities.
Item X.  Informational Items

C. Los Angeles County Board of Education Meeting Schedule, Establishment of Meeting Times, Future Agenda Items, Follow up

Board meetings scheduled for 2013-2014 are listed on the following pages. The calendar is presented for discussion, to establish meeting times, and to receive Board members' requests for future agenda items.

This process will facilitate planning for Board meetings.
MARCH 18 2014
2:00 Board Curriculum, Instruction and Assessment Committee Meeting
3:00 Board Meeting
**Presentation:** Recognition of the winners of the Los Angeles County Office of Education’s Eighth Annual Student Art Exhibition, and the seventh Annual Los Angeles County Regional Poetry Out Loud Competition
**Public Hearing:** The Aspire Ollin University Preparatory Academy, Grades 6-12: Renewal Petition received on appeal
**Public Hearing:** The Aspire Antonio Maria Lugo Academy, Grades K-6: Renewal Petition received on appeal
**Rpt:** Head Start Regionalization and Realignment of Service Areas
**Rpt:** Adjudication Issues: Interdistrict Attendance Appeals/Expulsion Appeals
**Rec:** Approval of First Reading Board Policy BP 0420.4 (Charter Schools), BB 9323.2 (Actions by the Board), BP 5141.21 (Admin Med. Monitoring Health Condition), BP 5146 (Married Pregnant Students), BP 6142.6 (Visual Performing Arts), BP 6142.91 (Reading Language Arts Instruction), BP 6162.51 (State Academic Achievement Tests)
**Closed Session:** Conference with Legal Counsel – Potential Litigation – One Case Pursuant to Government Code Section 54956.9(b)
**Interdistrict Attendance Appeals**
1. Stephanie T. v. El Rancho USD (Spanish Interpreter)
2. Jennifer T. v. El Rancho USD (Spanish Interpreter)
3. Elizabeth M. v. Los Angeles USD *

Pending Appeal Hearing
#1000 Schools List
AB – AB2444
### APRIL 1, 2014

- **2:00 Board Finance Committee Meeting**
- **3:00 Board Meeting**

**Presentation:** Academic Decathlon Awards

**Presentation:** Spelling Bee Awards

**Public Hearing:** California Academy for Leadership and Innovation, Grades K-8; Appeal of a Petition Previously Denied by Inglewood Unified School District

**Rpt:** Report on the Environmental Charter Middle School-Gardena, Grades 6-8: Charter Renewal

**Rpt:** Adjudication Issues (Charter Schools)

**Consent Rec:** Approval of the Extended School Year Calendar for Educational Programs Division of Special Education

**Rec:** The County FY 2013-14 Budget to Actuals Report with Budget Revisions

**Rec:** Environmental Charter Middle School-Gardena, Grades 6-8: Approval/Denial of a Charter Renewal

**Interdistrict Attendance Appeals**
1. Brian J. Los Angeles USD *
2. Jalie R. v. Los Angeles USD *
3. Ryan R. v. El Rancho USD *

**Expulsion Appeals**
1. Case #1314-004 v. Los Angeles USD (Closed)

### APRIL 8, 2014

- **2:00 Board Audit Committee Meeting**
- **3:00 Board Meeting**

**Presentation:** Science Olympiad Awards / Science Fair Awards

**Rpt:** Los Angeles County Office of Education’s Proposed 2014-15 Budget Study Session

**Rpt:** Head Start/Early Head Start 2014-15 Refunding Application (Year 1)

**Rpt:** Brown Act

**Consent Rec:** Approval for Disposal of Surplus Personal Property

**Rec:** Approval of Head Start-Early Head Start 2014-15 Refunding Application (Year 1)

**Interdistrict Attendance Appeals**
1. Eden M. v. Los Angeles USD *
2. China W. v. Los Angeles USD *
3. Christy P. v. Los Angeles USD *
4. Kimberly L. v. Monrovia USD *

**Expulsion Appeals**
1. Case #1314-003 v. Los Angeles USD (Open)

### APRIL 15

- **2:00 Board Curriculum, Instruction and Assessment Committee Meeting**
- **3:00 Board Meeting**

**Rpt:** Williams Uniform Complaint Procedure Quarterly Report for Educational Programs, January 1 to March 31, 2013

**Rpt:** Los Angeles County Office of Education’s Proposed 2014-15 Budget

**Rpt:** Delegate Agency and Child Care Partner Contracts for 2014-15

**Rpt:** Aspire Ollin University Preparatory Academy

**Rpt:** Aspire Antonio Maria Lugo Academy

**Rpt:** Setting County Board Member Goals

**Consent Rec/Bd. Res.:** Day of the Teacher

**Consent Rec/Bd. Res.:** Classified Employees Week

**Rec:** Approval of Delegate Agency and Child Care Partner Contracts for 2014-15

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Pending Appeal Hearing

#1000 Schools List

AB – AB2444

3/18/14
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<th>MAY 6 2014</th>
<th>MAY 13 2014</th>
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| 2:00 Board Finance Committee Meeting  
3:00 Board Meeting  
**Presentation:** Los Angeles County ROP Student Recognition  
**Presentation:** Day of the Teacher  
**Rpt:** Los Angeles County Office of Education’s Proposed 2014-15 Budget  
**Rpt:** California Academy for Leadership and Innovation, Grades K-8; Appeal of a Petition Previously Denied by Inglewood Unified School District  
**Rec:** California Academy for Leadership and Innovation, Grades K-8; Approval/Denial of a Petition to Establish a Charter  
**Rec:** National School Nurses Day  
**Rec:** The County FY 2013-14 Budget to Actuals Report with Budget Revisions  |
| 3:00 Board Meeting  
**Presentation:** Classified Employees Week  
**Rpt:** Los Angeles County Office of Education’s Proposed 2014-15 Budget  
**Consent Rec:** Approval for Disposal of Surplus Personal Property  |

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<th>MAY 13 2014</th>
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| 3:00 Board Meeting  
**Presentation:** Los Angeles County Office of Education’s Proposed 2014-15 Budget  |
| 2:00 Board Curriculum, Instruction and Assessment Committee Meeting  
3:00 Board Meeting  
**Rpt:** Head Start-Early Head Start Self-Assessment & Program Improvement Plan  
**Rec:** Approval of Head Start-Early Head Start Self-Assessment & Program Improvement Plan  |
| 2:00 Board Curriculum, Instruction and Assessment Committee Meeting  
3:00 Board Meeting  
**Rpt:** Head Start-Early Head Start Self-Assessment & Program Improvement Plan  
**Rec:** Approval of Head Start-Early Head Start Self-Assessment & Program Improvement Plan  |

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<th>JUNE 3 2014</th>
<th>JUNE 10 2014</th>
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| 2:00 Board Finance Committee Meeting  
3:00 Board Meeting  
**Presentation:** History Day Awards  
**Rpt:** Los Angeles County Office of Education’s Proposed 2014-15 Budget  
**Consent Rec:** Approval of Annual Distribution of United States Forest Reserve Funds  
**Rec:** The County FY 2013-14 Budget to Actuals Report with Budget Revisions  
**Rec:** Adoption of Board Resolution No._: Short Term Cash Loans to School Districts in Los Angeles County  |
| 2:00 Board Policy Committee Meeting  
3:00 Board Meeting  
**Presentation:** Annual Service Awards  
**Public Hearing:** Local Control Accountability Plan (LCAP)  
**Public Hearing:** Adoption of 2014-15 Proposed Budget  
**Consent Rec:** Approval for Disposal of Surplus Personal Property  
**Rec:** Proposed 2014-15 Budget First Reading  
**Rec:** Adoption of Resolution No._ Education Protection Act  |

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| 2:00 Board Curriculum, Instruction and Assessment Committee Meeting  
3:00 Board Meeting  
**Rec:** Adoption of Local Control Accountability Plan (LCAP)  
**Rec:** Adoption of 2014-15 Proposed Budget  |