



NEW HEIGHTS CHARTER SCHOOL

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**Charter Renewal Petition
For a Five-Year Term
(July 1, 2021 to June 30, 2026)**

**Submitted September 1, 2020 to:
Los Angeles Unified School District Board of Education**

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ASSURANCES, AFFIRMATIONS AND DECLARATIONS

New Heights Charter School (also referred to herein as “New Heights”, “NHCS” and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(e)(1).)
- Not charge tuition. (Ed. Code § 47605(e)(1).)
- Not discriminate against any pupil 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, including immigration status. (Ed. Code § 47605(e)(1); Ed. Code § 220.)
- Except as provided in Education Code section 47605(e)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. (Ed. Code § 47605(e)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(e)(2)(A).)
- Except for existing pupils of Charter School, determine attendance by a public random drawing if the number of pupils who wish to attend Charter School exceeds Charter School’s capacity. Preference shall be extended to pupils currently attending Charter School and pupils who reside in the Los Angeles Unified School District (also referred to herein as “LAUSD” and “District”). Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation, and shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. (Ed. Code § 47605(e)(2)(B).)
- Charter school shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code section 47605(e)(2)(B)(iii). (Ed. Code § 47605(e)(4).)
- If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, 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. (Ed. Code § 47605(e)(3).)

- Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. (Ed. Code § 47605(d)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(d)(2).)

Charter School hereby declares that Charter School, operated as or by its nonprofit public benefit corporation, is and shall be the exclusive public school employer of Charter School’s employees for the purposes of the Educational Employment Relations Act (EERA), Chapter 10.7 (commencing with Section 3540) of Division 4 of Title I of the Government Code. Charter School shall comply with all provisions of the EERA and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

NOTE: This Charter contains specific “Federal, State and District Required Language” (FSDRL), including the *Assurances, Affirmations, and Declarations* section above. The FSDRL should be highlighted in gray within each Charter element or section. The final section of the Charter provides a consolidated addendum of the FSDRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the FSDRL for any given section of the Charter. To the extent that any inconsistency may exist between any provision contained within the body of the Charter and the FSDRL contained in the addendum, the provisions of the FSDRL addendum shall control.

ELEMENT 1 – THE EDUCATIONAL PROGRAM

“The educational program of the charter school, designed, among other things, to identify those whom the charter 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.” (Ed. Code § 47605(c)(5)(A)(i).)

“The annual goals for the charter school 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, 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.” (Ed. Code § 47605(c)(5)(A)(ii).)

“If the proposed charter 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.” (Ed. Code § 47605(c)(5)(A)(iii).)

LOCAL CONTROL FUNDING FORMULA (LCFF) AND LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Los Angeles County Superintendent of Schools and the Charter Schools Division (CSD) on or before July 1. In accordance with Education Code sections 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 section 47605(c)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. Charter School shall comply with all requirements of Education Code section 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 local control and accountability plan and annual update to the local control and accountability plan.” (Ed. Code § 47606.5(d).)

ACADEMIC CALENDAR AND SCHEDULES

Charter School shall offer, at a minimum, the number of minutes of instruction set forth in Education Code section 47612.5, and the number of school days required by *California Code of Regulations*, title 5, section 11960.

MATHEMATICS PLACEMENT

Charter School shall comply with all applicable requirements of the California Mathematics Placement Act of 2015.

TRANSITIONAL KINDERGARTEN

Charter School shall comply with all applicable requirements regarding transitional kindergarten. For purposes of admission to Charter School, transitional kindergarten shall be considered a part of kindergarten, and therefore students enrolled in transitional kindergarten at Charter School shall be considered existing students of Charter School for purposes of Charter School's admissions, enrollment, and lottery.

WASC ACCREDITATION

If Charter School serves students in grades 9-12, before Charter School graduates its first class of students, Charter School shall obtain, and thereafter maintain, Western Association of Schools and Colleges (WASC) accreditation.

ENGLISH LEARNERS

Charter School shall identify potential English Learners in a timely manner in accordance with all applicable legal requirements. Charter School must provide all English Learners with an effective English language acquisition program that also affords meaningful and equitable access to Charter School's core academic 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, upon request, Charter School shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School has adopted and is implementing either the LAUSD Master Plan for English Learners and Standard English Learners or Charter School's own English Learner (EL) Master Plan. If Charter School chooses to implement its own EL Master Plan, the plan shall provide a detailed description of Charter School's EL program, and shall address the following:

- How Charter School's EL Master Plan provides all of its English Learners, including but not limited to Long Term English Learners (LTELs) with an effective English language acquisition program as well as meaningful and equitable access to Charter School's core academic curriculum

- How English Learners' specific needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How 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

Each year, Charter School shall provide to the CSD a report on its annual evaluation of the effectiveness of its EL program. Upon request, Charter School shall provide a copy of its current EL Master Plan to the CSD.

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

Charter School shall reclassify English Learners in accordance with federal and state requirements.

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

STUDENTS WITH DISABILITIES

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.

Special Education Program

Charter School shall ensure that no student otherwise eligible to enroll in Charter School shall be denied, directly or indirectly, admission due to a disability or to Charter School's inability to provide necessary services. Charter School acknowledges that policies and procedures are in place to ensure the recruitment, enrollment, service, and retention of students with disabilities at LAUSD-authorized charter schools, including Charter School.

Prior to LAUSD Board of Education approval of an initial Charter petition, and if a renewing Charter School intends to operate as a "school of the district" for special education services, Charter School shall execute a Memorandum of Understanding ("MOU") by and between LAUSD and Charter School regarding the provision and funding of special education services consistent with applicable state law and the LAUSD Special Education Local Plan Area ("SELPA") Local Plan for Special Education and shall be considered a "public school of the District" for purposes of Special Education pursuant to Education Code section 47641(b). However, Charter School

reserves the right to make written verifiable assurances that it may become an independent local educational agency (LEA) and join a SELPA pursuant to Education Code section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium following the requirements of Education Code section 56195.3(b). In this instance, Charter School will execute a MOU with LAUSD on provisions of special education as a member of a non-LAUSD SELPA.

SELPA Reorganization

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a). As a single-District SELPA, the District has created two charter 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 requiring all District-authorized charter schools to elect one of the three options available under the LAUSD SELPA. Prior to an option election, all District-authorized charter schools were required to participate as a school of the District under the District-Operated Programs Unit. Prior to the beginning of the 2013-2014 school year, all District-authorized charter schools, other than those that had previously executed an Option 3 Memorandum of Understanding ("MOU"), were required to execute a new MOU setting forth the LAUSD SELPA option election for the remainder of the charter petition term. The Charter-operated Program schools do not have LEA status for the purposes of special education but will function in a similar role in that each charter school will be responsible for all special education requirements, including but not limited to services, placement, due process, related services, special education classes, and special education supports. Charter schools that have elected to participate in a District-operated programs option may apply for membership in the Charter-operated Program section of the SELPA. Charter schools accepted for participation in the Charter-operated Programs section receive support from a Special Education Director for the Charter-operated Programs.

Use of District's Special Education Policies and Procedures and Data Systems

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of orders imposed upon the District pertaining to special education. 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.

All charter schools are required to interface with My Integrated Student Information System (MiSiS) via a web based Application Programming Interface (API). MiSiS is a suite of applications which is designed to capture all student data.

1. GENERAL INFORMATION

GENERAL INFORMATION TABLE	
The contact person for Charter School is:	Amy Berfield
The contact address for Charter School is:	2202 Martin Luther King Jr. Blvd, LA, CA 90008
The contact phone number for Charter School is:	323-508-0155
The current address of the Charter School is:	2202 Martin Luther King Jr. Blvd. LA, CA 90008 and 3989 Hobart Blvd. LA, CA 90062
This location is in LAUSD Board District:	1
This location is in LAUSD Local District:	Upper Campus: Central Lower Campus: West
The grade configuration of Charter School is:	TK-8
The number of students in the first year will be:	430
The grade level(s) of the students in the first year will be:	TK-8
Charter School's scheduled first day of instruction in 2021-22 is:	August 17, 2021
The enrollment capacity is:	465
The type of instructional calendar (e.g. traditional/year-round, single track/multi-track, extended day/year) will be:	Traditional
The bell schedule for the Charter will be:	8:15-3:15 Lower Campus 8:25-3:25 Upper Campus
The term of this Charter for Middle and High performing schools:	July 1, 2021 to June 30, 2026
If approved, the term of this Charter for low performing schools:	July 1, 2021 to June 30, 2023

2. COMMUNITY NEED FOR CHARTER SCHOOL

New Heights Charter School, a TK-8 school located in South Los Angeles, originally was authorized by the Los Angeles Unified School District (LAUSD or District) in 2006 and renewed for a third five-year term in 2016. New Heights Charter School (New Heights or NHCS) was founded based on the idea that rigorous learning requires a caring learning community and that students' academic, social, emotional, and physical development are interrelated. Essential to this vision is our set of beliefs about the importance of school culture and its role in supporting continuous improvement in teaching and learning. New Heights is organized around a cohesive set of shared ideas and practices about teaching and learning; our faculty work together to provide a coordinated experience for students as they progress through the school. Students are given opportunities to participate in a learning garden, arts activities, sports, yoga/mindfulness, social skills groups, and field trips to museums, theaters and team-building programs.

Now in our fifteenth year of operations, New Heights currently serves 420 students on two campuses located half a mile apart. Almost all our students (97%) are eligible for free or reduced-price lunch (FRPL), 21% are African American, 79% Hispanic, 33% English Learners (EL), 26% RFP, and 14% are students with disabilities. NHCS has earned a full six-year WASC accreditation.

New Heights' campuses sit within a community that has been plagued with violence and trauma and the community we serve is among the most "high-need" areas of Los Angeles. New Heights is located on the borders of Leimart Park and Vermont Square neighborhoods.

The residents of this densely populated community (>115,000 residents), are 48% Hispanic/Latino, 43% African American; over half of the population (51%) speaks a language other than English at home. (www.factfinder2.census.gov (2010 Census General Population Characteristics.)

In the community surrounding the school, 33.2% of children under the age of 18 lived in households below the poverty level. This is based on the national poverty rate which is clearly less than required to support a family of four in urban Los Angeles. In addition, the same survey showed that 33.2% of adults had not graduated high school.

Academic Performance Data and Other Absolute and Comparative Performance Indicators

According to California law, New Heights is considered on the "middle track" for renewal. In the two preceding years (2017-18 and 2018-19) New Heights has received performance levels schoolwide and for a majority of subgroups that are the same or higher than the state average on the academic performance indicators for ELA and Math.

New Heights Charter School Data

New Heights Charter School renewal is in the best interests of students because of the following:

1. Students at New Heights Charter School have made one year's progress as shown in grade level cohort data.
2. Students in subgroups at New Heights outperform neighboring schools that our students might otherwise attend, LAUSD as a whole and the State of California for English Language Learners, Students with Disabilities, Low Income Students, African American Students, and Hispanic Students.

The following data shows our school's strong record in academic performance, including:

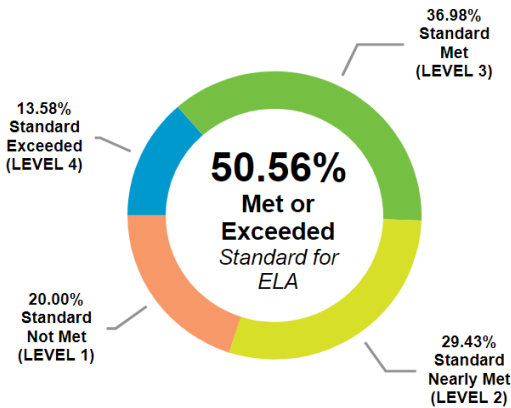
- Schoolwide percentage proficient (strong levels of proficient as well as lower levels of "standard not met") over the last two testing years
- New Heights Charter School student cohort data over time for ELA and Math
- Schoolwide percentage proficient compared to resident schools
- Subgroup "distance from standard" compared to resident schools

- Sub-groups “distance from standard” compared to LAUSD and the State of California
- Sub-groups percentage proficient compared to the State of California
- Reclassification rates
- Suspension Rates
- LAUSD Oversight Scores

New Heights Charter School CAASPP Data: 2017-18

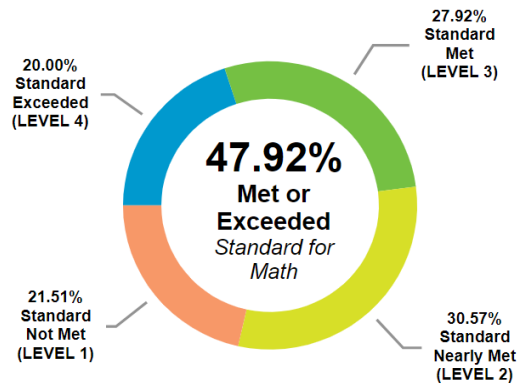
ELA

Percent of students within each achievement level



Mathematics

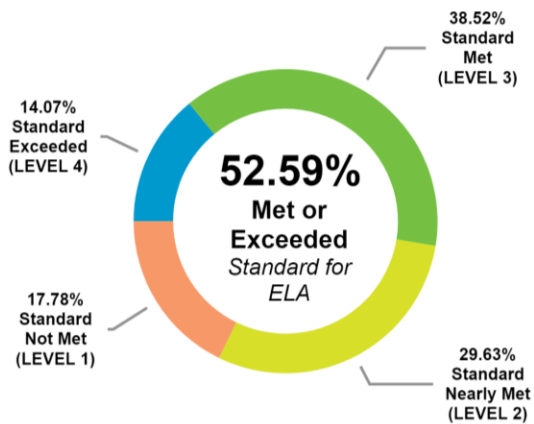
Percent of students within each achievement level



New Heights Charter School CAASPP Data: 2018-19

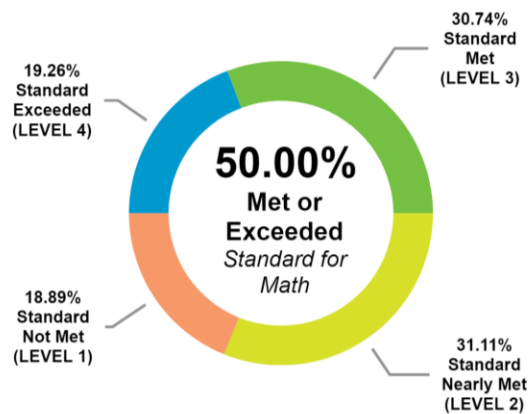
ELA

Percent of students within each achievement level



Mathematics

Percent of students within each achievement level



The following charts very clearly show “one year’s progress for each year in school” for the school and student group progress at New Heights Charter School.

School

School Change by Grade Level Cohort, Starting Grade to Highest Grade: Distance from Standard

English Language Arts	Change
2015 Gr. 4 to 2019 Gr. 8	+75
2015 Gr. 5 to 2018 Gr. 8	+69
2015 Gr. 6 to 2017 Gr. 8	+65
2015 Gr. 7 to 2016 Gr. 8	+58
Average change to highest grade level	+67

Mathematics	Change
2015 Gr. 4 to 2019 Gr. 8	+42
2015 Gr. 5 to 2018 Gr. 8	+60
2015 Gr. 6 to 2017 Gr. 8	+57
2015 Gr. 7 to 2016 Gr. 8	+48
Average change to highest grade level	+52

African American

School Change by Grade Level Cohort, Starting Grade to Highest Grade: Distance from Standard

English Language Arts	Change
2015 Gr. 4 to 2019 Gr. 8	NA
2015 Gr. 5 to 2018 Gr. 8	+66
2015 Gr. 6 to 2017 Gr. 8	NA
2015 Gr. 7 to 2016 Gr. 8	NA
Average change to highest grade level	+66

Mathematics	Change
2015 Gr. 4 to 2019 Gr. 8	NA
2015 Gr. 5 to 2018 Gr. 8	+58
2015 Gr. 6 to 2017 Gr. 8	NA
2015 Gr. 7 to 2016 Gr. 8	NA
Average change to highest grade level	+58

Hispanic/Latinx

School Change by Grade Level Cohort, Starting Grade to Highest Grade: Distance from Standard

English Language Arts	Change
2015 Gr. 4 to 2019 Gr. 8	+63
2015 Gr. 5 to 2018 Gr. 8	+73
2015 Gr. 6 to 2017 Gr. 8	+59
2015 Gr. 7 to 2016 Gr. 8	+55
Average change to highest grade level	+62

Mathematics	Change
2015 Gr. 4 to 2019 Gr. 8	+40
2015 Gr. 5 to 2018 Gr. 8	+61
2015 Gr. 6 to 2017 Gr. 8	+54
2015 Gr. 7 to 2016 Gr. 8	+56
Average change to highest grade level	+53

Socioeconomically Disadvantaged

School Change by Grade Level Cohort, Starting Grade to Highest Grade: Distance from Standard

English Language Arts	Change
2015 Gr. 4 to 2019 Gr. 8	+77
2015 Gr. 5 to 2018 Gr. 8	+69
2015 Gr. 6 to 2017 Gr. 8	+64
2015 Gr. 7 to 2016 Gr. 8	+59
Average change to highest grade level	+67

Mathematics	Change
2015 Gr. 4 to 2019 Gr. 8	+48
2015 Gr. 5 to 2018 Gr. 8	+63
2015 Gr. 6 to 2017 Gr. 8	+53
2015 Gr. 7 to 2016 Gr. 8	+47
Average change to highest grade level	+53

EL – not enough scores per grade level cohort:

School Change by Grade Level Cohort, Starting Grade to Highest Grade: Percent Proficient

English Language Arts	Change
2015 Gr. 3 to 2019 Gr. 7	NA
2015 Gr. 4 to 2018 Gr. 7	NA
2015 Gr. 5 to 2017 Gr. 7	NA
2015 Gr. 6 to 2016 Gr. 7	NA
Average change to highest grade level	NA

Mathematics	Change
2015 Gr. 3 to 2019 Gr. 7	NA
2015 Gr. 4 to 2018 Gr. 7	NA
2015 Gr. 5 to 2017 Gr. 7	NA
2015 Gr. 6 to 2016 Gr. 7	NA
Average change to highest grade level	NA

New Heights Charter School students exceeded the performance of neighboring resident schools in 2018 and 2019 in CAASPP scores by all measures. For the purposes of comparison, Resident Schools include the schools listed by LAUSD in our 2019-20 Oversight Report: Menlo Avenue, Weemes, Hillcrest, Normandie, Forty-Second Street, Martin Luther King, Jr., Foshay, Tom Bradly, Audubon, and Obama.

2018 CAASPP Percentage meeting/exceeding standards	New Heights Charter	Resident School Median
ELA	50.56%	21.94%
MATH	47.92%	17.41%

2019 CAASPP Percentage meeting or exceeding standards	New Heights Charter	Resident School Median
ELA	52.59%	19.80%
MATH	50.00%	16.29%

2019 CAASPP Distance from Standard by Subgroups Compared to Resident Schools

EL Students Distance from Standard <i>(Dashboard definition which includes RFEP students)</i>	New Heights	Resident School Median
ELA	-7	-79
Math	-16	-90

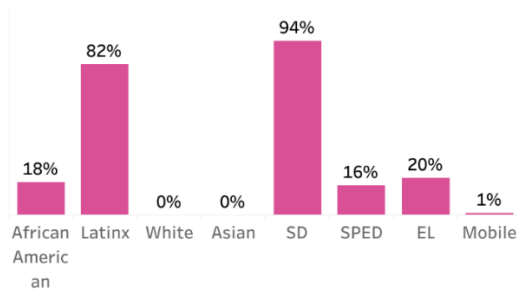
EL Distance from Standard <i>(EL Students Only, not including RFEP students)</i>	New Heights	Resident School Median
ELA	-42	-118
Math	-59	-106

African American Distance from Standard	New Heights	Resident School Median
ELA	-11	-95
Math	-17	-117

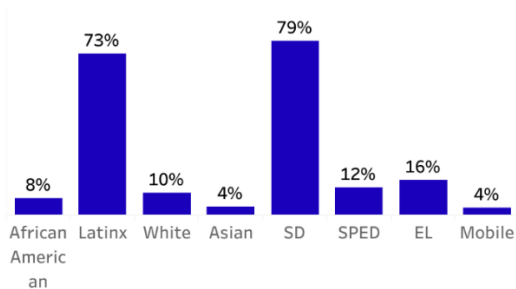
Socioeconomically Disadvantaged Distance from Standard	New Heights	Resident School Median
ELA	6	-75
Math	-4	-82

New Heights Charter School serves a community that has more African Americans, more socio-economically disadvantaged students, more language learners, and more students with special needs than LAUSD as a whole as shown by the graphic below.

School Test-Taker Demographics (2018-19)



Los Angeles Unified District Demographics (2018-19)



*SD: Socioeconomically Disadvantaged; SPED: Students with Disabilities; EL: English Learners; Mobile: Estimated % of students not continuously enrolled in 2017-18

CCSA's online database dashboard indicators by sub-group demonstrate New Heights Charter School's strong performance on all subgroups compared with LAUSD.



Dashboard Indicators by School & District - New Heights Charter

Indicator
ELA

Subgroups
Multiple values

New Heights Charter
ELA Indicator Status & Color

Los Angeles Unified
ELA Indicator Weighted Average Status & Color*

	2018	2019		2018	2019
ALL	1	6	ALL	-20	-16
Latinx	5	10	Latinx	-32	-27
English Learners	-7	-7	English Learners	-61	-58
Socioeconomically Disadv.	0	6	Socioeconomically Disadv.	-33	-28
Students with Disabilities	-47	-18	Students with Disabilities	-112	-99









*District averages may not exactly match what is listed on the CA School Dashboard due to methodological differences

The 2019 California Dashboard demonstrates New Heights Charter School's strong performance for subgroups compared to the State of California as measured by the Distance from Standard.

ELA DATA	New Heights Charter School	State of California
Hispanic Students	10.2 points above standard	26.6 points below standard
Socio-economically disadvantaged students	6.2 points above standard	30.1 points below standard
English Language Learners	6.3 points below standard	45.1 points below standard
African American Students	10.5 points below standard	47.6 points below standard
Students with Special Needs	17.1 points below standard	88.1 points below standard
MATH DATA	New Heights Charter School	State of California
Hispanic Students	.4 points below standard	62.2 points below standard
Socio-economically disadvantaged students	3.5 points below standard	63.7 points below standard
English Language Learners	16.2 points below standard	68.6 points below standard
African American Students	17.3 points below standard	87.9 points below standard
Students with Special Needs	40.6 points below standard	119.4 points below standard









The following data shows how New Heights students performed compared to the State of California based on percentage proficient on CAASPP by subgroup in ELA and Math in 2019.

English Language Learners (ELA): Comparision of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement		
Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 	1.82 %	2.38 %
 Standard Met: Level 3 	12.73 %	10.43 %
 Standard Nearly Met: Level 2 	50.91 %	25.18 %
 Standard Not Met: Level 1 	34.55 %	62.01 %









English Language Learners (MATH): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 	1.82 %	3.41 %
 Standard Met: Level 3 	12.73 %	9.17 %
 Standard Nearly Met: Level 2 	40.00 %	23.02 %
 Standard Not Met: Level 1 	45.45 %	64.41 %









Reclassified Students (ELA): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 	12.15 %	22.64 %
 Standard Met: Level 3 	56.07 %	37.43 %
 Standard Nearly Met: Level 2 	24.30 %	25.45 %
 Standard Not Met: Level 1 	7.48 %	14.48 %

Reclassified Students (MATH): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 	26.17 %	20.40 %
 Standard Met: Level 3 	37.38 %	22.70 %
 Standard Nearly Met: Level 2 	27.10 %	28.76 %
 Standard Not Met: Level 1 	9.35 %	28.14 %

Students with Disabilities (ELA): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards





[English Language Arts/Literacy Scale Score Ranges](#)

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 ⓘ	6.82 %	5.21 %
 Standard Met: Level 3 ⓘ	15.91 %	11.14 %
 Standard Nearly Met: Level 2 ⓘ	43.18 %	19.29 %
 Standard Not Met: Level 1 ⓘ	34.09 %	64.35 %





Students with Disabilities (MATH): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 ⓘ	9.09 %	5.13 %
 Standard Met: Level 3 ⓘ	13.64 %	7.48 %
 Standard Nearly Met: Level 2 ⓘ	38.64 %	15.95 %
 Standard Not Met: Level 1 ⓘ	38.64 %	71.43 %

African American Students (ELA): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
 Standard Exceeded: Level 4 ⓘ	14.29 %	10.81 %
 Standard Met: Level 3 ⓘ	26.53 %	22.38 %
 Standard Nearly Met: Level 2 ⓘ	32.65 %	24.10 %
 Standard Not Met: Level 1 ⓘ	26.53 %	42.71 %

African American Students (MATH): Comparison of New Heights Charter and the State of California Percentages of Students Meeting and Exceeding Standards

Overall Achievement

Achievement Level	New Heights Charter	State of California
Mean Scale Score	N/A	N/A
Standard Exceeded: Level 4 ⁱ	12.24 %	7.02 %
Standard Met: Level 3 ⁱ	28.57 %	13.53 %
Standard Nearly Met: Level 2 ⁱ	40.82 %	24.90 %
Standard Not Met: Level 1 ⁱ	18.37 %	54.55 %

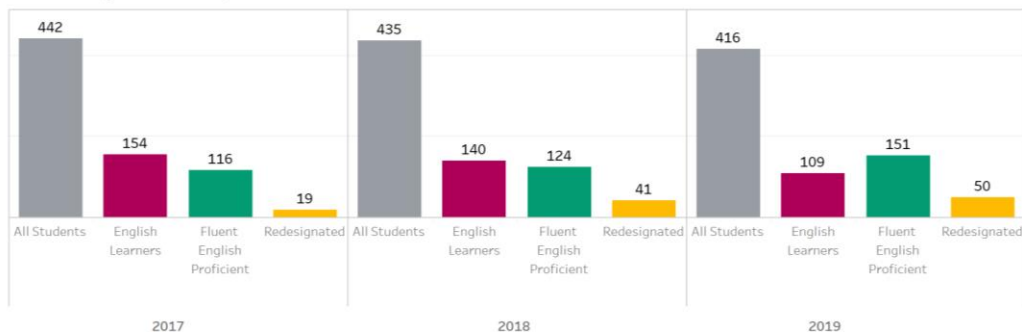
The following reclassification data demonstrates New Heights Charter School's strong support of ELL students and improvements in the school's reclassification rates overtime and in comparison to the state, county, and LAUSD.



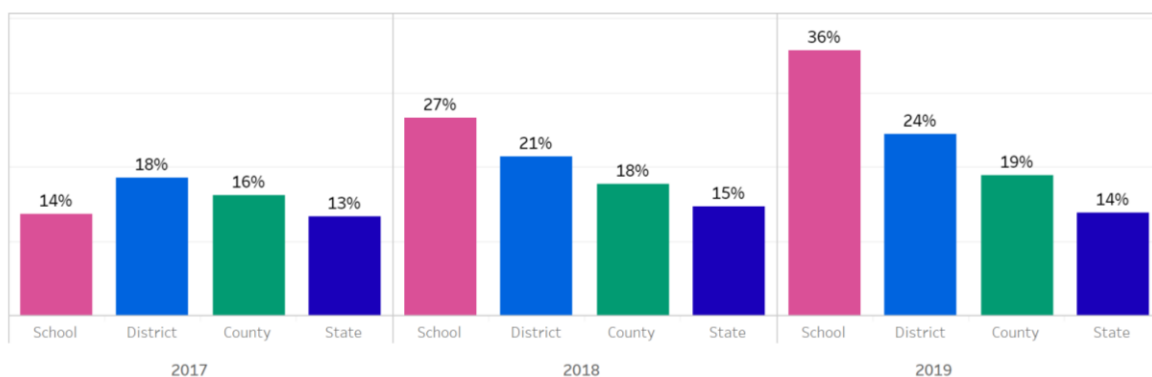
California
Charter Schools
Association

English Learner Reclassification - New Heights Charter

Counts of English Learners by Classification



Reclass Rates Compared to District, County, and State



The graphs above show that New Heights Charter School has improved over the last few years in terms of the school's ability to reclassify students, this rate of improvement far exceeds the improvements made by the district and county in the same time period.

New Heights has also shown some growth in reducing the percentage of students At-Risk for Long Term English Language Learner Status and those who are Long-Term English Learners:

At-Risk of LTEL	2018	2019
New Heights	7.5%	6.8%

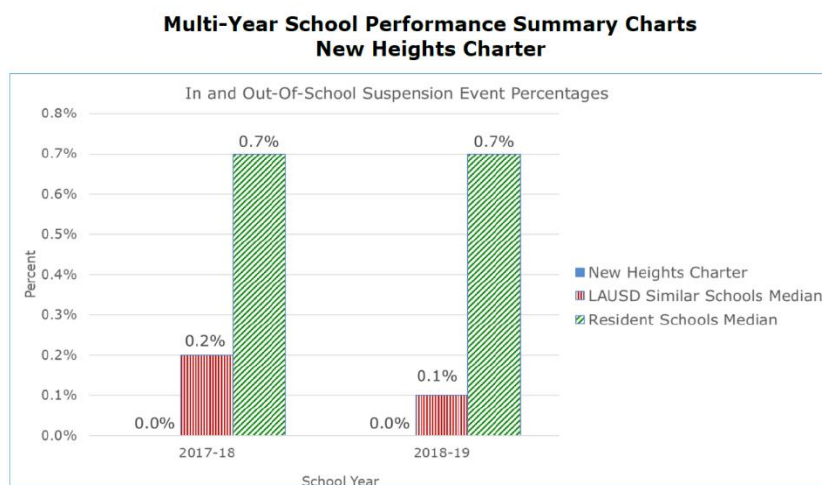
LTEL	2018	2019
New Heights	7.5%	5.6%

The most recent data (from DataQuest) by grade level shows that our school's Long-Term EL population decreases through the middle grades:

Long-Term EL (LTEL)	New Heights
6 th Grade	23.7%
7 th Grade	14.8%
8 th Grade	3.6%

Suspension Rates

The following chart (provided by the LAUSD Charter School office) shows New Heights Charter Schools suspension rates compared to LAUSD similar schools and resident schools.



Additional Indicators of Success

Beyond these academic achievements, New Heights has excelled in many ways:

- LAUSD’s CSD oversight evaluation results to date have been strong. For the 2016-17 and 2017-18 school year, New Heights received the following scores from LAUSD for oversight:

(4)=Accomplished (3)=Proficient (2)=Developing (1)=Unsatisfactory Governance

Student Achievement and Educational Performance: 4

Organizational Management, Programs, and Operations: 4

Fiscal Operations: 4

Governance: 4

For the 2018-19 and 2019-20 school year, New Heights received the following scores from LAUSD for oversight:

(4)=Accomplished (3)=Proficient (2)=Developing (1)=Unsatisfactory Governance

Student Achievement and Educational Performance: 3

Organizational Management, Programs, and Operations: 4

Fiscal Operations: 4

Governance: 4

- New Heights Charter School has received 2, 6-year WASC Accreditations and received a Public Charter Schools Dissemination Grant from CDE in 2018. These grants are awarded to high-quality charter schools interested in disseminating best practices.
- New Heights’ Average Daily Attendance (ADA) of 95% is consistently strong.
- New Heights has a very strong sense of community for students, parents, and staff/faculty. Teachers and staff rarely leave New Heights and staff, parents, and students who move away or graduate tend to return to visit, thinking of New Heights as their “home”. In order to continue to retain and keep excellent teachers, New Heights Charter School wrote two successful grants to Great Schools Now to experiment with new strategies for recruitment and retention, including mini-grants to teachers to pursue “passion projects” and mini-grants for teachers to develop content that supports schoolwide goals as well as the development of new teachers.
- Finally, based on stakeholder surveys:
 - 95% of parents/families feel the school is a welcoming place
 - 86% of students feel a sense of belonging in our school
 - 100% of teachers feel valued for their contributions at school.

Success Of The Key Features Of The Educational Program

As detailed more fully in the sections below, New Heights’ education program is founded in the recognition that children’s academic, ethical, social, and emotional development are interrelated and interdependent. Students who feel connected to their school tend to have

higher academic motivation and perform better academically, while being more unlikely to engage in problem behaviors such as violence and drug use (Blum, McNeely, & Rinehart, 2002; Resnick et al., 1997.)

As a small TK-8 school, New Heights is designed to meet the social and academic needs of students at all grade levels through a personalized, differentiated approach. Adults and students are able to create stable, close, and mutually respectful relationships to support all students' intellectual, emotional, and social growth as they grow. Teachers are trained in Responsive Classroom (RC) for TK-8 to support students' overall growth, with a focus on teacher language, developmentally appropriate practices, respectful, relevant, and related consequences, morning meetings, and collaborative problem-solving. Teachers use this training to implement RC in the classroom on a daily basis.

Teachers use a balanced literacy approach to actively engage students and build their understanding. Students learn how to be readers, writers, mathematicians, scientists, and creative thinkers. Students have opportunity for both independent inquiry and learning in cooperation with others. Multiple forms of assessments are used on an ongoing basis to better understand the learner's progress and needs, and to plan for further assistance. Students have opportunities to exhibit their expertise before family and community during their Learning Celebrations/Exhibitions of Mastery. The Learning Celebrations actively demonstrate students' competence to their teachers, peers, parents, and community.

Success Of The Charter School's Educational Program In Meeting The Specific Needs Of The Student Population, Including but not limited to Numerically Significant Subgroups

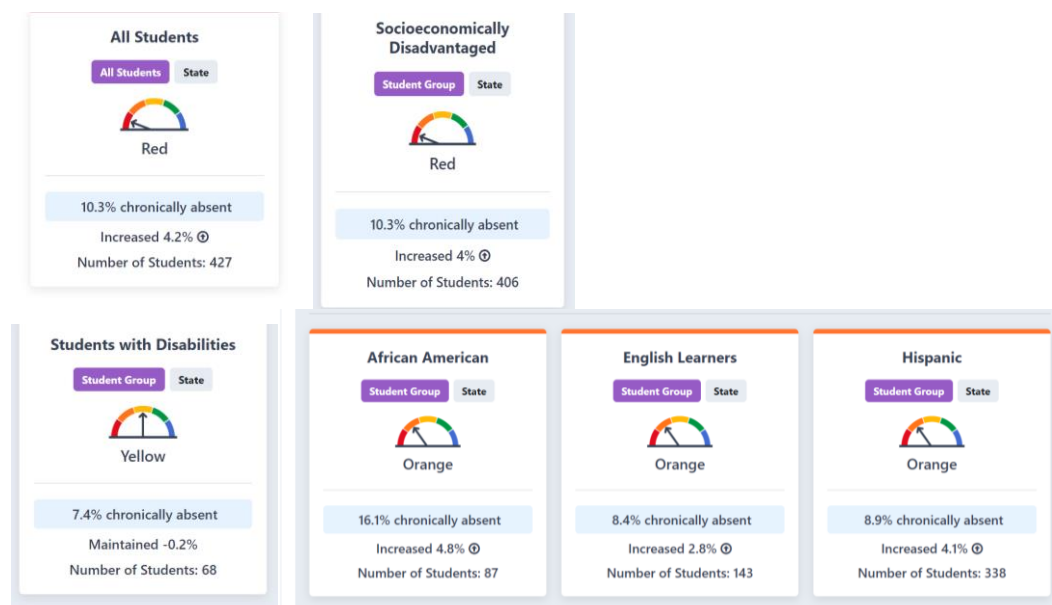
NHCS's students encounter significant challenges in their homes and community. Extreme poverty, high crime rates and more are all common among our student population. Yet as demonstrated in the preceding analysis, NHCS is helping our students achieve academic success and growth at a rate not seen in comparable schools. We believe our focus on our students' social and emotional development is a critical component of the successes we achieve. The school staff and faculty strive to keep a "growth mindset" emphasizing that everyone is capable of learning and growth in the interrelated areas of social, emotional, and academic growth. In addition, New Heights seeks to broaden the life experiences of our students and families through opportunities to participate in our learning garden, arts activities, sports, yoga/mindfulness, social skills groups, and field trips to museums, theaters and team-building programs. These enrichment activities help students find many ways to exhibit personal success and provide motivation for them to participate actively in school life.

Academically, we provide comprehensive and structured supports through a learner-centered program throughout all aspects of the school as described here in Element 1.

Areas Of Challenge The School Has Experienced and How The School Has Improved and/or Will Improve in such Areas

Chronic Absenteeism: One of the school’s LCAP goals is to reduce chronic absenteeism. The charter school made significant progress from 2016-17 to 2017-2018. However, the charter school was unable to maintain this lower percentage of chronic absences in 2018-19, causing the 2019 dashboard to indicate red for this indicator. If the charter school had reduced the number of students with chronic absence by 2 students – the dashboard color would have been orange schoolwide.

New Heights has analyzed each students’ reasons for their chronic absences and the following categories have emerged: chronic health issues, limited family supports (when parents are sick or unavailable, there is no one else to help bring students’ to school), grief/death (students are kept out of school due to family deaths), and mental health issues. These issues plague our community. As seen by the chronic absence rates of our resident schools (see comparison below), the issues of poverty, trauma, and poor health are pervasive in our area.



New Heights Chronic Attendance compared with the Resident School Median

New Heights Charter	Resident Schools Median
10%	26%

Each year since New Heights has begun collecting data on chronic absences, we have improved our system for identifying students at risk, working with families, helping bring students to school, and addressing mental health issues. Most recently, in 2019-20, NHCS’ Student and Family Support team began a new early warning system that helped reduce the number of students experiencing chronic absenteeism.

Starting on the first day of school, if students are absent, teaching teams contact students’ homes to make sure to let families know how much we miss them when they aren’t in school

and how important it is for them to be present. In addition, a robo-call/text is sent to homes to report student absences, each morning.

Teachers report any absences of students with a history of chronic attendance challenges to the Student and Family Support team. The team, who has already developed a rapport with the families from prior years, works with the family to problem-solve any issues that don't warrant an excused absence.

The school tracks students at 8-10% absences starting within the first month of school and continues to track each week, contacting parents and inviting them to meetings to analyze the barriers to attendance and identify possible solutions. This new data collection has been instrumental in this work, along with clarification of the school's process for parents, inviting parents to meet with school staff to problem-solve, and making the problem more visible to all parents through information flyers linking high absenteeism with a host of poor outcomes like increased likelihood of school drop-out and increased likelihood of incarceration. The staff and parents also create an "Attendance Agreement" to memorialize goals for improved attendance.

Based on our initial analysis, attendance issues adversely correlate with student performance on state standardized tests and in-class academic achievement – not surprisingly, students who are absent more are not performing as well academically. Analysis of grade level differences shows that attendance for the middle grades last year was better than attendance for younger students, with TK/K and First grade students having some of the worst attendance in the school.

Even though the school has always maintained an average daily attendance of approximately 95%, New Heights is concerned about the academic trajectories of students who make up the bulk of the school's absenteeism.

English Language Learner Progress: As our English Language Learner population has grown over the past several years, New Heights has developed and refined its system of support and its understanding of the needs of language learners. While we have made significant progress, we also know our learning journey must be ongoing. We have several years of data over the course of our current charter that show promising growth and other areas that show concern / room for improvement.

Promise: New Heights Charter School English Language Learners perform better than resident schools, LAUSD, and the State of California on both ELA and Math on the SBAC assessment (see data above). In addition, we see progress in the speaking skills, as reported on the ELPAC and our internal formative assessments, of students who are both ELL and students with disabilities. On the 2018-19 ELPAC, 35% of all students (43.75% in Grade 4 and 84.62% in Grade 5) scored Well Developed in the Speaking Section.

New Heights Charter School English Language Learner data (2019) from the California Dashboard shows the increased academic performance of reclassified students, increases in EL students performance in ELA, yet a decrease in EL performance in Math.

English Language Arts Data Comparisons: English Learners

Additional information on distance from standard for current English learners, prior or Reclassified English learners, and English Only students in English Language Arts.

Current English Learners	Reclassified English Learners	English Only
41.1 points below standard	19.7 points above standard	1.2 points above standard
Increased 12.1 Points Ⓢ	Maintained 1.7 Points	Increased 9.1 Points Ⓢ
Number of Students: 56	Number of Students: 75	Number of Students: 93

Mathematics Data Comparisons: English Learners

Additional information on distance from standard for current English learners, prior or Reclassified English learners, and English Only students in mathematics.

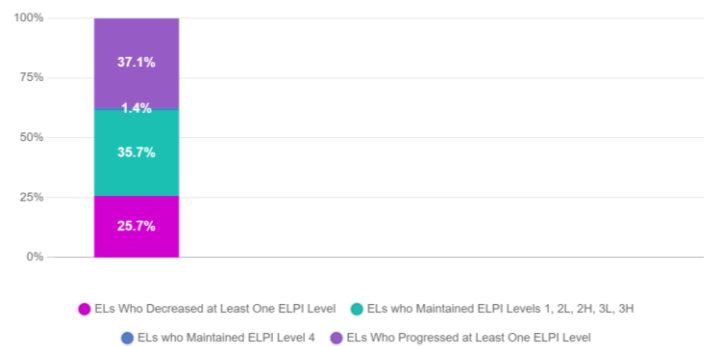
Current English Learners	Reclassified English Learners	English Only
58.8 points below standard	15.7 points above standard	4.1 points below standard
Declined 6.2 Points Ⓢ	Increased 10.9 Points Ⓢ	Maintained -1.9 Points
Number of Students: 56	Number of Students: 75	Number of Students: 93

The success of our RFEP students is clear: As New Heights student move from ELL status to RFEP status, their performance improves in ELA and Math (as measured by the SBAC).

Proficient and Above 2018-19	ELA	MATH
English Learner	14.55%	14.55%
“Ever EL”	50.00%	50.00%
RFEP	68.22%	63.55%

Area for Improvement: The one indicator that precluded New Heights from qualifying for the high track was ELPI – New Heights scored lower than the state on this indicator.

The percentage of current EL students who progressed at least one ELPI level, maintained ELPI level 4, maintained lower ELPI levels (i.e, levels 1, 2L, 2H, 3L, or 3H), or decreased at least one ELPI Level.



We understand we have a gap in performance for our ELL students, however, we also want to point out that we have been very successful in recent years reclassifying our students.

As we have analyzed our data carefully, we see two potential reasons for the most recent drop in reclassification rates (Dataquest as of September 2020):

1. We had 10 students who were reclassified just after the Census Day. These students had an ELPAC scores of 4, but teachers and parents were waiting for other data to confirm their readiness for reclassification. (If these students had been added to our most recent group, our reclassification percentage would have been 18.45%).
2. Our success in prior years means that our remaining EL population is largely made up of lower elementary students not yet ready to reclassify, upper grade students coming to New Heights in 5th / 6th grade for the first time, or upper grade ELL Students who also have special needs (37% of the population in grades 3-8 are students with disabilities.)

Over the past 6 years, teachers participated in multiple coaching sessions focused on developing student's academic language through partnership conversations during all subject areas as well as grand conversations about social issues and book clubs. Grand conversations are student-led whole class discussions that allow students to practice their listening and speaking skills.

In 2018, New Heights received a Public Charter Schools Dissemination Grant for the school's work in Oral Language Development, one of three awards given in the state of California. This grant is given to high-quality charter schools to share their best practices as well as continue to improve and innovate.

We plan to work on the following: supporting students who are identified both as ELL students and Students with Disabilities, supporting students' language needs who arrive at New Heights "later" in their academic careers, and preparing students for the annual ELPAC to increase the percentage of students making one year of progress each year. To support reading and writing skills, we have recently trained 18 of our faculty members in Linda Mood-Bell as an alternative for students who are not successful with SIPP.

Moving forward, we intend to continue professional development focused on language development to language study within complex texts as well as partner /collaborative conversations in all subject areas. In addition to this integrated English language instruction, teachers are also working to ensure their designated ELD sessions are supportive of academic content language and taught in context of the academic content work students are expected to do. We are committed to ongoing work in this area to support students' academic achievement and well-being.

Community Trauma: New Heights has made a commitment to utilizing the most up-to-date research and knowledge about how to best support our students socially and emotionally, with intensive teacher training and ongoing discussion each year to meet our students' and families significant needs. This work is challenging and ongoing. This was the case prior to the global

health pandemic, and given the likely long-lasting impacts of the pandemic, our school will continue to see trauma as a major challenge for teaching and learning.

In 2016, we expanded our Student and Family Support team from one staff member to three, to ensure each grade band has dedicated support. In addition to working with families who have attendance/truancy issues, as discussed above, the Student and Family Support Team engages in the following activities:

- **Counseling and Restorative Justice Practices:** On campus, short-term crisis counseling is provided as needed. Counseling helps students whose behaviors are the result of emotional distress and/or a crisis or family/environmental issues. Students are referred to community counseling agencies if long term/more intensive counseling support is needed. Restorative justice is based on a set of principles that guide the response to conflict and harm. Restorative justice strategies provide opportunities for students to be accountable to those they have harmed and enable them to repair the harm they caused to the extent possible. The following restorative justice strategies are used at NHCS: conflict resolution and problem-solving meetings between students and staff, and staff training and consultation regarding restorative justice and conflict resolution practices.
- **Behavior Intervention Support:** Behavior intervention support is provided for students who have exhibited problematic behavior in and outside of the classroom. A high degree of support is given to both the student and the teacher in order to help develop desired behaviors. Modification support is based on results of the functional behavior assessment (FBA) and action steps stated on the behavior support plan (BSP). The student support team consults with teachers to help develop and implement a detailed behavior support plan; and provide classroom support, observations, and specific student interventions based on need.

In addition to ongoing training to create a culture of caring and safety, New Heights has partnered with Thousand Joys, a trauma-informed therapeutic support organization to help support students, families, and staff. Thousand Joys provided support for stress management, emotional regulation, and healing. Through their *Transform Program*, students built resiliency to cope with stress and trauma in a constructive way. Based on solid research and pilot program testing, the techniques are practical and therapeutic, inspired by yoga, meditation, rhythm and other healing modalities. The partnership also engaged parents, inviting them to complete a survey to ascertain their interest in being part of the effort and then designing parent supports based on parents' reported needs/interests. Throughout the year, the Student and Family Support Team observed and learned from the Thousand Joys team to build capacity to sustain this work overtime. In addition, the faculty and staff have participate in multiple professional development sessions focused on effective communication, stress reduction, trauma, secondary trauma, self-care, and implicit bias.

Technology Integration

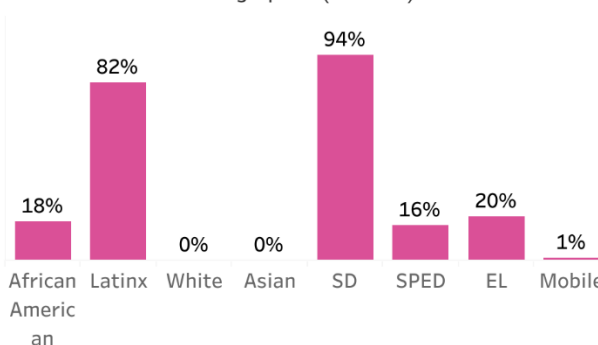
The challenge we face in our attempts to reimagine how technology can support our school vision is ongoing, although we have made significant strides in the past 6 months. New Heights Charter School has transformed the way students, teachers and staff use technology. While some of this transformation is temporary until the global pandemic is over, other features of this transformation are likely to remain a feature of our program and operations, including:

- Technology-based formative and summative assessments with instant reporting.
- Technology-based ‘on the go’ checks for understanding with instant results and opportunities for instant feedback for students.
- A more visual display of information for students for class assignments.
- Digital recordings to share with students who are absent.
- Technology-based tools to capture student talk /conversation to support oral language development.

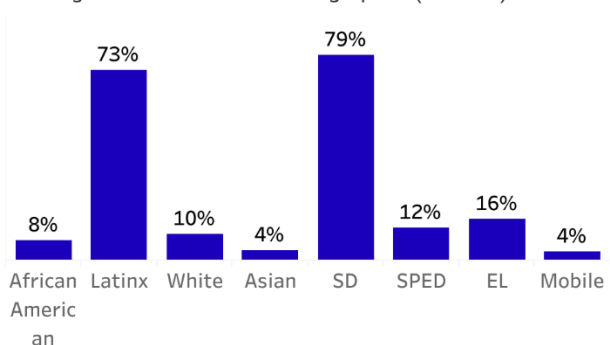
3. STUDENT POPULATION TO BE SERVED

Target population: The target population at New Heights Charter School is low-income students of color in grades TK-8. Since opening in 2006, the New Heights student population has always included over 92% students eligible for free and reduced lunch (FRPL); in 2019-20, 97% of our students were FRPL, with 80% Hispanic/Latino and 20% African American. Currently, 28% of our students are English Learners (EL). Approximately 13% of our current students receive special education services.

School Test-Taker Demographics (2018-19)



Los Angeles Unified District Demographics (2018-19)



*SD: Socioeconomically Disadvantaged; SPED: Students with Disabilities; EL: English Learners; Mobile: Estimated % of students not continuously enrolled in 2017-18

4. ENROLLMENT PLAN

	21-22	22-23	23-24	24-25	25-26
TK	21	21	21	22	22
K	46	50	50	50	50
1	46	46	48	48	48
2	46	46	48	48	48

3	45	47	47	47	47
4	46	48	48	48	50
5	48	48	48	48	50
6	50	50	50	50	50
7	50	50	50	50	50
8	46	46	48	50	50
9	0	0	0	0	0
10	0	0	0	0	0
11	0	0	0	0	0
12	0	0	0	0	0
Total	444	452	458	461	465

5. GOALS AND PHILOSOPHY

Mission

New Heights Charter School, located in South Los Angeles, prepares urban students to use their minds well and become capable, caring citizens through a personalized and caring learning community, with a rigorous understanding-based curriculum. Recognizing that students' academic, social, and emotional development are interdependent, students learn academic knowledge and skills in a supportive, nurturing environment.

Vision

New Heights' vision is focused on enhancing equity in educational opportunity. In keeping with the statutory purposes for charter schools, New Heights strives to improve pupil learning, increasing learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as academically low achieving. New Heights' educational philosophy is based on supporting students' intrinsic motivation to learn and organizing learning to promote understanding. New Heights provides a strong foundation to students in their early years, so they can excel in the middle grades, and be fully prepared for the demands of high school.

6. AN EDUCATION PERSON IN THE 21ST CENTURY

We believe an educated person in the 21st Century must have the critical and creative thinking skills necessary to engage in continuous learning, self-reflection, and civic contribution. Educated people understand how they are part of a larger system and how they can make a difference as one part of that system. Specifically, New Heights strives to develop students who exhibit college and career readiness:

- **Socially, Emotionally, and Physically Healthy people able to:**
 - a. Cooperate and work with others
 - b. Effectively assert themselves
 - c. Take responsibility

- d. Demonstrate empathy
 - e. Exhibit self-control
 - f. Develop and maintain a healthy lifestyle
- **Active Learners and Problem-Solvers able to:**
 - a. Learn independently and in groups
 - b. Participate in class activities fully, including using technology to solve problems
 - c. Ask questions
 - d. Define a problem and seek out answers with technology as appropriate
 - e. Summarize and synthesize information
 - **Capable Communicators able to:**
 - a. Comprehend what they read
 - b. Convey their thoughts through writing, using technology as appropriate
 - c. Speak with clarity
 - d. Listen to understand
 - **Effective Researchers and Experimenters able to:**
 - a. Understand and apply Mathematical Concepts
 - b. Understand and apply Scientific Concepts
 - c. Seek, analyze and present information and data using multiple modes, including technology.

7. HOW LEARNING BEST OCCURS

Our philosophies about how learning best occurs are based on cognitive research included in *How People Learn: Brain, Mind, Experience and School*, John D. Bransford, Ann L. Brown and Rodney R. Cocking, Ed.s, National Academies Press; 1st edition (September 15, 2000).) Commissioned by the National Research Council, *How People Learn* presents the conclusions of research in cognitive science, and then develops their implications for teaching and learning. The target population of New Heights Charter School, low-income students of diverse backgrounds, thrives in a learning environment that addresses their individual needs as learners academically, socially, and emotionally. As summarized by the Center for Teaching at Vanderbilt University,

[E]nvironments that best promote learning have four interdependent aspects—they focus on learners, well-organized knowledge, ongoing assessment for understanding, and community support and challenge.

1. **Learner-centered:** Learner-centered environments pay careful attention to the knowledge, skills, attitudes, and beliefs that learners bring to the educational setting. Teachers must realize that new knowledge is built on existing knowledge—students are not blank slates. Therefore, **teachers need to uncover the incomplete understandings,**

false beliefs and naïve renditions of concepts that students have when they begin a course. If these are ignored, students may develop understandings very different from what the teacher intends them to gain.

2. **Knowledge-centered:** Knowledge-centered environments take seriously the need to help students learn the well-organized bodies of knowledge that support understanding and adaptive expertise. **Teachers are wise to point their students directly toward clear learning goals—to tell students exactly what knowledge they will be gaining, and how they can use that knowledge.** In addition, a strong foundational structure of basic concepts will give students a solid base on which to build further learning.
3. **Assessment-centered:** Assessment-centered environments provide frequent formal and informal opportunities for feedback focused on understanding, not memorization, to encourage and reward meaningful learning. Feedback is fundamental to learning, but feedback opportunities are often too scarce in classrooms. Students may receive grades on tests and essays, but these are summative assessments that occur at the end of projects. **What are needed are formative assessments that provide students with opportunities to revise and improve the quality of their thinking and understanding.** The goal is for students to gain meta-cognitive abilities to self-assess, reflect and rethink for better understanding.
4. **Community-centered:** Community-centered environments foster norms for **people learning from one another, and continually attempting to improve.** In such a community, students are encouraged to be active, constructive participants. Further, they are encouraged to make—and then learn from—mistakes. Intellectual camaraderie fosters support, challenge and collaboration.

The most effective learning environments contain all four of these interdependent foci.

([https://cft.vanderbilt.edu/guides-sub-pages/how-people-learn/.](https://cft.vanderbilt.edu/guides-sub-pages/how-people-learn/))

8. REQUIREMENT OF THE CALIFORNIA EDUCATION CODE 47605(c)(5)(A)(ii)

Based on the state priorities detailed in California Education Code § 52060(d)(2)-(8), New Heights Charter School aims to achieve the following school wide and subgroup outcome goals.

The following chart details New Heights Charter’s annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils identified pursuant to California Education Code § 52052, for each of the state priorities and sub-priorities identified in California Education Code § 52060(d)(2)-(8). We also include specific annual actions we plan to take to achieve each of the identified annual goals.

The following is drawn from New Heights’ 2019 LCAP, constructed prior to the global pandemic. Given the school closure of 2020 and the uncertainty of the 2020-21 school year, we do not

believe it is possible to include reasonable/accurate academic targets for the 2020-21 school year or subsequent years, however, the school will include reasonable targets on our annual LCAP which is based on the school's stakeholder engagement process and data review that occurs annually. We invite our authorizer to refer to our annual LCAP for the most reasonable outcome targets. The following is intended to be illustrative of the goals and actions New Heights anticipates at this point in time, based on the data available.

LCFF STATE PRIORITIES						
GOAL #1						
All classroom teachers will hold appropriate credentials; all teachers will be appropriately assigned.				Related State Priorities:		
				<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 7 <input type="checkbox"/> 2 <input type="checkbox"/> 5 <input type="checkbox"/> 8 <input type="checkbox"/> 3 <input type="checkbox"/> 6		
				Local Priorities:		
				<input type="checkbox"/> : <input type="checkbox"/> :		
Specific Annual Actions to Achieve Goal						
New Heights will conduct a thorough search for new teachers in a process that ensures all new hires have the appropriate credentials and are assigned appropriately.						
Expected Annual Measurable Outcomes						
Outcome #1: 100% of TK-8 teachers will hold a valid California Multi-Subject Teaching Credential. Metric/Method for Measuring: SARC						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026
All Students (Schoolwide)	100% teacher certification	100% teacher certification	100% teacher certification	100% teacher certification	100% teacher certification	100% teacher certification
English Learners						
Socioecon. Disadv./Low Income Students						
Foster Youth						
Students with Disabilities						

African American Students						
American Indian/Alaska Native Students						
Asian Students						
Filipino Students						
Latino Students						
Native Hawaiian/Pacific Islander Students						
Students of Two or More Races						
White Students						

LCFF STATE PRIORITIES						
GOAL #2						
100% of students will have access to standards-aligned instructional materials.				Related State Priorities: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 7 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 5 <input type="checkbox"/> 8 <input type="checkbox"/> 3 <input type="checkbox"/> 6 Local Priorities: <input type="checkbox"/> : <input type="checkbox"/> :		
Specific Annual Actions to Achieve Goal						
1. Purchase new CCSS-aligned curriculum as needed, including NGSS for science. 2. Ensure appropriate teacher training to fully implement CCSS-aligned curriculum.						
Expected Annual Measurable Outcomes						
Outcome #1: 100% implementation of CCSS-aligned curriculum materials for all grades.						
Metric/Method for Measuring: SARC						
<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2021-22</i>	<i>2022-23</i>	<i>2023-2024</i>	<i>2024-2025</i>	<i>2025-2026</i>
All Students (Schoolwide)	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum

English Learners	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum
Socioecon. Disadv./Low Income Students	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum
Students with Disabilities	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum
Foster Youth	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum
Students with Disabilities	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum	100% of students have CCSS-aligned curriculum
African American Students	100% of students	100% of students	100% of students	100% of students	100% of students	100% of students

	have CCSS- aligned curriculu m	have CCSS- aligned curriculu m	have CCSS- aligned curriculu m	studen ts have CCSS- aligned curricu lum	have CCSS- aligned curriculu m	have CCSS- aligned curriculu m
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*
Latino Students	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculu m	100% of studen ts have CCSS- aligned curricu lum	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculu m
Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*
Students of Two or More Races	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculu m	100% of studen ts have CCSS- aligned curricu lum	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculu m
White Students	*	*	*	*	*	*

LCFF STATE PRIORITIES	
GOAL #3	
School facilities are clean and maintained in good repair.	Related State Priorities: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 7 <input type="checkbox"/> 2 <input type="checkbox"/> 5 <input type="checkbox"/> 8 <input type="checkbox"/> 3 <input type="checkbox"/> 6
	Local Priorities: <input type="checkbox"/> :

☐:

Specific Annual Actions to Achieve Goal

1. Ensure appropriate staffing to maintain a facility that is clean and in good repair.

Expected Annual Measurable Outcomes

Outcome #1: Cleaning conducted in a timely manner and repairs reported in a timely manner.

Metric/Method for Measuring: Site logs, SARC report.

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026
All Students (Schoolwide)	>95% compliance	>95% compliance	>95% compliance	>95% compliance	>95% compliance	>95% compliance
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						
Foster Youth						
Students with Disabilities						
African American Students						
American Indian/Alaska Native Students						
Asian Students						
Filipino Students						
Latino Students						
Native Hawaiian/Pacific Islander Students						
Students of Two or More Races						
White Students						

LCFF STATE PRIORITIES

GOAL #4

Increase student and parent engagement and understanding of the demands of the Common Core as it relates to critical thinking, thoughtful speech, and thoughtful listening.	Related State Priorities:		
	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 7
	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 8
	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 6	
Local Priorities:			
<input type="checkbox"/> :			
<input type="checkbox"/> :			

Specific Annual Actions to Achieve Goal

The school staff will:

1. design and implement education sessions for parents/guardians focused on building understanding of the demands of the Common Core;
2. increase services to support parents in attending educational sessions at school;
3. communicate regularly with parents/guardians through school website, phone outreach, texting, and mailings;
4. provide translation services at school events and translated materials for parents/guardians.
5. provide trauma-informed support to students and families to reduce stress and increase students' abilities to have the confidence and perseverance to learn difficult academic concepts (Common Core) and handle difficult social situations.

Expected Annual Measurable Outcomes

Outcome #1: Fully engage parents/guardians in participation in school-sponsored education events.

Metric/Method for Measuring: Documentation of parent meeting attendance.

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026
All Students (Schoolwide)	In 2019-20, 69% of parents attended two or more events outside of the two	Maintain or Increase parent participation in two or more school events	Increase parent participation in two or more school events by 1-2% annually.	Increase parent participation in two or more school events by 1-	Increase parent participation in two or more school events by 1-2% annually.	Increase parent participation in two or more school events by 1-2% annually.

	parent- teacher conferen ces.	by 1-2% annually.		2% annuall y.		
English Learners						
Socioecon. Disadv./Low Income Students						
Foster Youth						
Students with Disabilities						
African American Students						
American Indian/Alaska Native Students						
Asian Students						
Filipino Students						
Latino Students						
Native Hawaiian/Pacific Islander Students						
Students of Two or More Races						
White Students						

LCFF STATE PRIORITIES	
GOAL #5	
Increase the percent of students who are achieving ELA CA Common Core standards at grade level.	Related State Priorities: <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 4 <input checked="" type="checkbox"/> 7 <input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 5 <input type="checkbox"/> 8 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 6 Local Priorities: <input type="checkbox"/> : <input type="checkbox"/> :
Specific Annual Actions to Achieve Goal	
1. NHCS will provide standards-aligned curriculum and assessments. 2. NHCS will offer professional learning and workshops prior to the start of the school to ensure high quality instruction.	

3. NHCS will offer on-going professional learning including, on-site collaboration and job-embedded instructional coaching
4. For Students with Disabilities, NHCS will provide specific professional learning opportunities to all teachers, including special education teachers and teaching partners, on Common Core implementation and the co-teaching model of push-in support for students with special needs.
5. NHCS will develop an infrastructure for on-going analysis of student work and progress by providing teacher release time and collaborative learning time.
6. NHCS will implement a comprehensive performance-based assessment system comprised of pre/post assessments and progress monitoring tools utilizing Teaching Partners to analyze student growth on curricular assessments and performance-based assessments.
7. NHCS will implement summer school program for students who struggle academically.

Expected Annual Measurable Outcomes

Outcome #1: Schoolwide and all significant subgroups will increase ELA achievement.

Metric/Method for Measuring: SBAC ELA Distance from Standard (DFS)

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2021-22</i>	<i>2022-23</i>	<i>2023-2024</i>	<i>2024-2025</i>	<i>2025-2026</i>
All Students (Schoolwide)	DFS: 6.4 points above standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 2 points
English Learners	DFS: 6.3 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point
Socioecon. Disadv./Low Income Students	DFS: 6.2 points above standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 2 points
Foster Youth	*	*	*	*	*	*
Students with Disabilities	DFS: 17.1 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point

African American Students	DFS: 10.5 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*
Latino Students	DFS: 10.2 points above standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point
Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*
Students of Two or More Races	*	*	*	*	*	*
White Students	*	*	*	*	*	*
LCFF STATE PRIORITIES						
GOAL #6						
Increase the percent of students who are achieving math CA Common Core standards at grade level.				Related State Priorities: <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 4 <input checked="" type="checkbox"/> 7 <input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 5 <input type="checkbox"/> <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 6		
				Local Priorities: <input type="checkbox"/> : <input type="checkbox"/> :		
Specific Annual Actions to Achieve Goal						

1. Teachers will implement CCSS-aligned curriculum and assessments.
2. New Heights will offer ongoing professional learning and coaching prior to the start of the school year.
3. NHCS will provide coaching support in CCSS-aligned instructional materials throughout the year to ensure high quality instruction in mathematics. Coaching support includes classroom demonstrations of new instructional approaches, coaching/feedback on new instructional approaches, classroom labs, coaching during unit/lesson design and analysis of student work.
4. NHCS will offer on-going professional learning, including on-site collaboration, and technology assistance from the school's Technology Coordinator as a means to integrate technology into instruction.
5. NHCS will develop an infrastructure for on-going analysis of student work and student progress by providing teacher release time and collaborative learning time, in order for teachers to design/choose appropriate assessments, analyze student data, think through learning progressions, and design lessons to meet student's needs.
6. NHCS will implement a comprehensive support system for students. Teaching Partners will work with teachers and students to identify students in need, differentiate instruction, and provide response to intervention.

Expected Annual Measurable Outcomes

Outcome #1: Schoolwide and all significant subgroups will increase Math achievement.

Metric/Method for Measuring: SBAC measure of Distance from Standards (DFS)

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026
All Students (Schoolwide)	DFS: 3.5 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point
English Learners	DFS: 16.2 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by .7
Socioecon. Disadv./Low Income Students	DFS: 3.5 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point
Foster Youth	*	*	*	*	*	*
Students with Disabilities	DFS: 40.6 points	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline	Maintain (+/- 3 points)	Increase from

	below standard			e by .5% or achieve 7.5%		baseline by .7
African American Students	DFS: 17.3 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by .7
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*
Latino Students	DFS: .4 points below standard	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Maintain (+/- 3 points)	Increase from baseline by 1 point
Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*
Students of Two or More Races	*	*	*	*	*	*
White Students	*	*	*	*	*	*

LCFF STATE PRIORITIES

GOAL #7

School will continue to maintain high ADA rate, reduce chronic absenteeism rates, and continue to have 0% middle school dropout rates.

Related State Priorities:

- ☐ 1 ☐ 4 ☐ 7
☐ 2 ☒ 5 ☐ 8
☒ 3 ☐ 6

Local Priorities:

- ☐:
☐:

Specific Annual Actions to Achieve Goal

The Student and Family Support Team will:

1. Regularly analyze attendance data and work with parents to reduce absenteeism;
2. Develop and maintain systems for identifying, contacting, and supporting students who miss school
3. Use the state's definitions of chronic absence to measure progress overtime.

4. Provide personalized support to students/families with chronic absenteeism.
5. Review and improve systems for supporting families of students with chronic absenteeism.
6. Conduct home visits as needed to support student attendance at school.
7. New Heights uses a self-contained model for grades K-8 to maintain strong teacher-student relationships and ensure school attendance. In addition, New Heights has small class size (average 24) in grades 4-8 to ensure strong teacher-student relationships. This also helps to ensure all our students graduate middle school. Support students, during transitions and outdoor time, to build their social skills and ensure a safe environment that promotes learning. Through our strong teacher-student-parent relationships, all middle school students will stay in school and not drop-out.

Expected Annual Measurable Outcomes

Outcome #1: Increase schoolwide attendance rates will be maintained at 95.5 or increase% and maintain chronic absenteeism under 10%.

Metric/Method for Measuring: Average Daily Attendance, Attendance Data Systems

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026
All Students (Schoolwide)	≥95% ADA all years, schoolwide and all subgroups Chronic Is 10.3%	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.8% from baseline or below the state average
English Learners	≥95% ADA all years, schoolwide and all subgroups Chronic	≥95% ADA all years, schoolwide and all subgroups	≥95% ADA all years, schoolwide and all	≥95% ADA all years, schoolwide and all	≥95% ADA all years, schoolwide and all	≥95% ADA all years, schoolwide and all

	Is 10.3%	Chronic will be -.4% from baseline or below the state average	subgroups Chronic will be -.4% from baseline or below the state average	subgroups Chronic will be -.4% from baseline or below the state average	subgroups Chronic will be -.4% from baseline or below the state average	subgroups Chronic will be -.8% from baseline or below the state average
Socioecon. Disadv./Low Income Students	≥95% ADA all years, schoolwide and all subgroups Chronic Is 10.3%	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.8% from baseline or below the state average
Foster Youth	≥95% ADA all years, schoolwide and all subgroups Chronic Is 10.3%	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.8% from baseline or below

			the state average	the state average	the state average	the state average
Students with Disabilities	≥95% ADA all years, schoolwide and all subgroups Chronic Is 10.3%	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.8% from baseline or below the state average
African American Students	≥95% ADA all years, schoolwide and all subgroups Chronic Is 10.3%	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.8% from baseline or below the state average
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*

Latino Students	≥95% ADA all years, schoolwide and all subgroups Chronic Is 10.3%	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.4% from baseline or below the state average	≥95% ADA all years, schoolwide and all subgroups Chronic will be -.8% from baseline or below the state average
Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*
Students of Two or More Races	*	*	*	*	*	*
White Students	*	*	*	*	*	*

LCFF STATE PRIORITIES

GOAL #8

Discretionary expulsion and suspension rates will be maintained at the current low level.

Related State Priorities:

- ☐ 1 ☐ 4 ☐ 7
☐ 2 ☐ 5 ☐ 8
☐ 3 ☒ 6

Local Priorities:

- ☐:
☐:

Specific Annual Actions to Achieve Goal

Teachers will be trained in classroom management, behavior expectations and school culture policies and practices.

Expected Annual Measurable Outcomes

Outcome #1: Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$.

Metric/Method for Measuring: Suspension/expulsion rates.

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026
All Students (Schoolwide)	≤ .5% suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%, Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups
English Learners	≤ .5% suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%, Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at ≤ 1%. Suspension rates will be ≤ 2% schoolwide, and all subgroups
Socioecon. Disadv./Low Income Students	≤ .5% suspensions	Discretionary	Discretionary	Discretionary	Discretionary	Discretionary

	ns and expulsions schoolwide, and all subgroups	expulsion rates will be maintained at $\leq 1\%$, Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups
Foster Youth	$\leq .5\%$ suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$, Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups
Students with Disabilities	$\leq .5\%$ suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$,	Discretionary expulsion rates will be maintained at \leq	Discretionary expulsion rates will be mainta	Discretionary expulsion rates will be maintained at \leq	Discretionary expulsion rates will be maintained at \leq

		Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	1%. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	ined at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	1%. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	1%. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups
African American Students	$\leq .5\%$ suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$, Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*
Latino Students	$\leq .5\%$ suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$,	Discretionary expulsion rates will be maintained at \leq	Discretionary expulsion rates will be mainta	Discretionary expulsion rates will be maintained at \leq	Discretionary expulsion rates will be maintained at \leq

		Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	1%. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	ined at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	1%. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	1%. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups			
Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*			
Students of Two or More Races	*	*	*	*	*	*			
White Students	*	*	*	*	*	*			
LCFF STATE PRIORITIES									
GOAL #9									
Students in grades K-2 will experience 1 years' growth in ELA and Math				Related State Priorities:					
				<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 7			
				<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 5	<input type="checkbox"/> 8			
				<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 6				
				Local Priorities:					
				<input type="checkbox"/> :					
				<input type="checkbox"/> :					
Specific Annual Actions to Achieve Goal									
Teachers will support developmentally appropriate practices in early reading and development of math skills/concepts.									
Expected Annual Measurable Outcomes									
Outcome #1: The percentage of students (K-2) proficient or higher on Charter School's internal reading assessment end of year will increase.									
Metric/Method for Measuring: Fountas and Pinnell Reading Benchmark Assessment (or similar)									
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-2024	2024-2025	2025-2026			

All Students (Schoolwide)	55%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
English Learners	25%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
Socioecon. Disadv./Low Income Students	55%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
Foster Youth	*	*	*	*	*	*
Students with Disabilities	20%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
African American Students	50%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*
Latino Students	55%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*
Students of Two or More Races	*	*	*	*	*	*
White Students	*	*	*	*	*	*

Outcome #2: The percentage of students (K-2) proficient or higher on Charter School's internal math assessment end of year will increase.

Metric/Method for Measuring: Track My Progress Math (or similar)

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2021-22</i>	<i>2022-23</i>	<i>2023-2024</i>	<i>2024-2025</i>	<i>2025-2026</i>
All Students (Schoolwide)	60%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
English Learners	50%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
Socioecon. Disadv./Low Income Students	60%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
Foster Youth	*					
Students with Disabilities	30%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
African American Students	45%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%
American Indian/Alaska Native Students	*	*	*	*	*	*
Asian Students	*	*	*	*	*	*
Filipino Students	*	*	*	*	*	*
Latino Students	60%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%	Maintain or increase by 1%

Native Hawaiian/Pacific Islander Students	*	*	*	*	*	*
Students of Two or More Races	*	*	*	*	*	*
White Students	*	*	*	*	*	*

9. GOALS FOR ENABLING PUPILS TO BECOME AND REMAIN SELF-MOTIVATED, COMPETENT, AND LIFELONG LEARNERS

The educational philosophy of New Heights supports students' academic achievement as well as their ability to become self-motivated, competent, lifelong learners. To do this, New Heights' educational program is based on knowledge of how to support students' intrinsic motivation to learn and how to organize learning to promote understanding. Research has demonstrated that student-centered learning approaches like those employed at NHCS are linked with increased motivation for learning, student engagement, and school connectedness (Rowe et al., 2007; Wilson, 2000). Through small group work, class discussions, and collaborative learning activities, students develop social relationships with their peers and adults, thus increasing school connectedness and their motivation to participate in school. In *Visible Learning for Teachers*, John Hattie stresses the importance of social connections for students, "It is incumbent therefore upon schools to attend to student friendships, to ensure that the class makes newcomers welcomed, and, at minimum, to ensure that all students have a sense of belonging."

Our focus on school connectedness is based on research showing that:

Students' sense of belonging to school communities decreases as they progress through primary and secondary education (Marks, 2000; Ryan & Patrick, 2001). In fact, approximately half (40%–60%) of students are chronically disengaged from school by the time they reach high school (Byrk & Schneider, 2002; Furrer & Skinner, 2003; Klem & Connell, 2004). Furthermore, chronic school disengagement contributes to school dropout (Wehlage, Rutter, Smith, Lesko, & Fernandez, 1990), which is a significant social problem, as 28% of U.S. students do not graduate from high school (Editorial Projects in Education Research Center, 2011).

Although school connectedness often is overlooked as schools face significant pressures regarding academic performance, academic and lifelong success is related to feeling emotionally engaged and connected to the school environment. (Sulkowski et al, *Connecting Students to Schools to Support Their Emotional Well-Being and Academic Success.*)

At NHCS, we intentionally embed social-emotional support throughout our program at all grades to help students develop connectedness, thereby developing their self-motivation to become life-long learners.

10. INSTRUCTIONAL DESIGN

Our instructional design is focused on the following core elements:

1. Learner-Centered: Personalized/Differentiated Instruction that Engages Students
2. Knowledge-Centered: Teaching for Understanding
3. Assessment-Centered: Frequent Formative Assessment as well as Summative and Performance-Based
4. Community-Centered: School Connectedness for Students and a Caring Learning Community for All

Learner-Centered: Active Engagement and Differentiated Instruction

At New Heights, students are actively engaged in the learning process, rather than passive recipients of teachers' knowledge. Students engage in units of study that build knowledge and skills. The units integrate multiple content and performance standards, while building on students' prior knowledge.

Student participation and engagement strategies are used such as: small group work, student-led discussion, scientific inquiry, collaborative math problem-solving, blended learning, and daily writing. For example, students have daily opportunities to read and write each day, which leads to greater fluency and proficiency. Research supports a direct correlation between the amount of time we spend in pursuit of a habit, goal or skill and our individual growth in relation to that habit, goal or skill. (Hattie and Gladwell.) In order for students to improve as writers and readers, and build stamina, it is important for them to have long stretches of time to practice.

Students at NHCS are given the means to explore, solve problems, reflect on situations and demonstrate their knowledge individually and in groups, allowing learners to make meaning. Through group learning, students have the opportunity to interact with and learn from other students on more complex tasks than they could engage in alone, encouraging them to explore their own and other students' ideas, and helping develop communication and interpersonal skills.

Throughout the school day, learning is personalized and differentiated in a student-centered approach to instruction that enables teachers to focus on the specific needs, skills, and challenges of each individual student to ensure that each and every student can excel. Each experience is an opportunity to construct new meaning through discussion, collaboration, and reflection to integrate new concepts. Carol Tomlinson notes that differentiation is not a set of strategies but a way of thinking about teaching and learning. Differentiation is making sure each student learns what he or she should learn by setting clear goals, assessing persistently to see where each student is relative to the goals and adjusting instruction based on assessment information so that each student can learn as much as possible as efficiently as possible. Quality differentiation begins with a growth mindset, moves to student-teacher connections, and evolves to the community. (Tomlinson, 2010.)

Teachers also scaffold the learning of students and differentiate instruction by breaking down tasks, using modeling, prompting, and coaching to teach strategies for thinking and problem solving to help students become proficient at conducting the relevant inquiry activities (Blumenfeld et al., 1991). In these ways, each student's existing beliefs, theories and perceptions are challenged through conversation, hands-on activities, or experiences. The more actively engaged children are in the learning process, the more effectively they will understand and retain concepts and skills that are delineated in the state standards.

In our effort to personalize learning for each student, teachers use blended learning with technology that adjusts to meet student needs so that students who are ready to proceed rapidly through content get increasingly levels of difficulty automatically, while those who need more time on a specific task do not advance as rapidly. Teachers also modify lessons, practice problems, and homework to fit students' needs. And finally, teachers personalize their approach to social/emotional learning so that students' needs are met and their individual growth targets are set based on an understanding of their baseline behaviors.

Knowledge-Centered: Teaching for Understanding

New Heights prepares students to transfer what they learn in school to their lives outside of school. Students learn how to be readers, writers, mathematicians, scientists, and creative collaborators. Teachers use a workshop approach—teaching strategies for complex texts/concepts, engaging students in small group work, and 1:1 conferences/independent work—to actively engage students and build their understanding. Teachers learn to clarify learning goals, focus on the “big ideas” of a subject, devise revealing assessments of student understanding, and craft effective and engaging learning activities.

Students engage in rigorous learning with the goal of deep understanding. The state Common Core standards are grouped together within units of study that provide a framework for instruction at New Heights. Students engage in skill-building, knowledge creation, and meaningful demonstrations of mastery. The New Heights approach to unit design is in-line with Grant Wiggins and Jay McTighe's work with *Understanding by Design*. Teachers plan with the expected outcomes in mind and design performance-based assessments to gauge students' levels of understanding, prior to selecting learning activities.

Assessment-Centered: Formative, Summative, and Performance-Based Assessments

New Heights faculty utilize multiple forms of assessments on an ongoing basis to better understand the learner's progress and needs, and to plan for further assistance. The process of formative assessment equally involves students as it does teachers, and applied effectively it can help students understand the learning goals, receive feedback about their progress toward learning goals, and use that feedback to plan next steps (Black and William 2009, Hattie 2012, 143). As stated in the ELD/ELA Framework for California, formative assessment allows teachers to make decisions to modify instruction in the moment, within a specific lesson or unit of instruction, or across a longer time frame. According to Margaret Heritage, formative

assessment is a planned strategy carried out to improve learning...it is a process rather than a product in that it focuses on uncovering what and how well the student understands throughout the course of instruction. At New Heights, teachers use formative assessment as a systematic way to gather evidence of learning, engage students in assessment, and use data to improve teaching and learning (Heritage, 2010).

New Heights also uses online data systems to administer interim and summative tests in math and English Language Arts. The school used the Smarter Balanced interim and summative tests to track students' knowledge and analyze patterns across the grade levels and the school.

New Heights teachers use and design performance tasks (similar to those found on the Smarter Balanced system) to provide students with opportunities to integrate content and skills across multiple content standards. In performance assessment, rather than choosing among predetermined options, the students either construct or supply an answer or produce a product. The performance task contains some kind of stimulus material or information that serves as the basis for the response along with directions indicating the nature of the desired response. The responses are scored according to a clear set of standards.

Students also have opportunities to engage in activities to exhibit their knowledge and expertise before family and community during their Learning Celebrations. The Learning Celebrations actively demonstrate students' competence to their teachers, peers, parents, and community.

Community-Centered: School Connectedness

Our emphasis on school connectedness is summarized in the following

“School connectedness” generally refers to students’ belief that adults at school care about them as individual learners and people (Blum & Libbey, 2004). Children who feel connected to school want to come to school each morning. Despite challenges in their families and neighborhoods, connected youth look forward to seeing their friends and teachers at school because they feel valued, respected, and supported by them (Goodenow, 1993). Disconnected youth are frequently tardy or absent. When they do come to school, they may engage in disruptive behavior, disturbing their learning and the learning of peers. Often, youth who feel disconnected receive poor or failing grades. When it becomes clear that a student has become disconnected from the school, it is important to consider ways to re-engage him or her. It is also important to think carefully about coexisting problems that may exacerbate the feeling of being disconnected from school, such as substance use issues, experiences of trauma or victimization, or family-related concerns. (WestEd What Works Brief #4.)

Students who feel connected to their school tend to have higher academic motivation and perform better academically, while being more unlikely to engage in problem behaviors such as violence and drug use (Blum, McNeely, & Rinehart, 2002). Particularly for our older students,

research shows that adolescent development, a time of dramatic cognitive growth, is best served when schools challenge students to use their minds well – the core of our mission – with challenge and appropriate supports. Curriculum and enrichments must be engaging and tap into children and adolescents’ curiosities, interests and energy. (National Forum for middle grades reform, website.)

As a TK-8 school, New Heights provides a small, safe setting for students to grow into adolescence in a caring community in which they are each individually known. The school is a place that is comfortable and inviting to all. The school cultivates a feeling of respect, trust, and partnership between students, parents, and teachers. Students have opportunities to reflect on their behavior towards others and contribute suggestions for how to improve the climate of the school to support learning. New Heights strives to connect students to school by making school more open, welcoming, and nurturing. Research shows that academic and lifelong success is related to feeling emotionally engaged and connected to the school environment. Social-emotional learning enhances students' emotional well-being, academic achievement, and connectedness to the school climate (Zins & Elias, 2006).

Designing environments and opportunities for students to engage in activity that develops learners’ autonomy, agency, and voice within democratic, participatory contexts is key to support all learners, especially English Language Learners (Walqui and Bunch, 2019). Participation, engagement, competence, and joy are key elements that describe quality learning environments for students.

The school’s approach to building social/emotional skills in support of academic learning is also guided by the research and writings of Carol S. Dweck, Stanford University psychologist. Her decades of research on achievement and success show that teaching people to have a “growth mind-set,” which encourages a focus on effort rather than on intelligence or talent, helps make them into high achievers in school and in life.

In a growth mindset, dedication and hard work helps create a love of learning and a resilience that is essential for great accomplishment. Teaching with a growth mindset creates motivation and productivity and enhances relationships. This framework guides how staff and faculty view the challenges students and adults face on a daily basis and provides the basis for our positive and collaborative school culture. The school culture is characterized by a shared commitment to continuous learning and improvement in a collaborative, supportive environment.

Most days at NHCS begin with Morning Meetings for students. The four components of the meeting, adjusted for grade level are: Greeting, Sharing, Group Activity, and News and Announcements. Students learn to greet each other with respect; communicate with power and authority without putting each other down; listen to each other’s stories, hopes, and fears; and talk about the business of the day ahead. Morning Meetings provide an important step towards making school a safe and productive place for learning.

Morning Meetings lend themselves to the introduction or reinforcement of academic skills. Through Greeting, Sharing, Group Activity, and News and Announcements, students learn how to think critically, how to frame and ask good questions, how to solve problems, how to work cooperatively, and how to turn their need for peer connection into a positive and dynamic learning strategy (especially for older students).

Structure and Staff: The instructional design is supported by a structure that places priority of staffing classroom, rather than administration. Each grade level partnership includes a Teaching Partner, a Resource Teacher (or paraprofessional) and a member of our Student and Family Support Team (a counselor.) The team works together to support the needs of students in a holistic approach that interweaves social-emotional learning, best teaching practices, family partnership, and academic rigor.

11. CURRICULUM

New Heights' focus on rigorous study is reflected in the research-based and standards-based curricular approaches used in the classrooms. All students participate in a rigorous, relevant, and coherent CCSS-aligned curriculum that supports the school's mission and the expected school wide learning results. New Heights regularly reviews and refines instructional materials to best meet the needs of students and will continue to do so over the course of this charter. The description below describes the current education programs. The school will continue to modify and enhance its program to meet the needs of students.

English Language Arts (core)

The elements of the ELA program are aligned to the four strands of the *California Common Core Standards in English Language Arts* as well as the *California English Language Arts/English Language Development Framework*¹: Reading, Writing, Listening and Speaking. We provide students with English Language Arts instruction that results in the ability to read, write, and communicate with competence and confidence in English across a range of personal and academic contexts.

New Heights follows a balanced approach to literacy, with daily opportunities for students to read, write, listen and speak. Using a balanced literacy approach, students in TK-8 have daily opportunities to improve their skills and understanding of writing and reading. Teachers model strategies for deep reading of complex texts. Students work in groups to analyze complex texts, sharing their ideas orally and in writing.

The balanced literacy approach uses the following strategies: strategy lessons, partner shares, independent reading/writing, small groups, individual conferences interactive read aloud, shared reading/writing, interactive writing, and language study. The literacy structures are kept simple and predictable so that teachers can focus on the complex work of teaching in a

¹ <http://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp>

responsive manner to accelerate achievement for all learners. This practice is well-supported by Dube, Bessette, & Dorval (2011) whose research demonstrated “the positive effects of the combination of flexible grouping, associated with the explicit teaching of writing are particularly clear in the subgroups of students with learning difficulties or severe learning difficulty in writing” (p. 181).

Students engage in reading and writing on a daily basis. The single factor most strongly associated with reading achievement—more than socioeconomic status or any instructional approach—is independent reading, according to Stephen Krashen, linguist and educational researcher (*The Power of Reading*). Studies show that *children read more when they see other people reading*, says Kashen. In the classroom students not only see others read, they learn to converse about their reading with partners, and, beginning in 4th grade, in small book clubs.

Components of Balanced Literacy

Teachers engage in consistent, predictable structures to provide students with daily opportunities and experiences for building the skills and strategies for word solving, fluency, higher – level comprehension, writing, listening, and speaking.

The components of balanced literacy include the following:

Interactive Read Aloud: Read aloud is a wonderful opportunity for implicit teaching of reading to occur. The teacher models the organic thinking and work a reader does in order to navigate a text. The teachers also uses dramatic gestures and quick definitions to support students’ vocabulary and understanding. This is also an opportunity for teachers to use structures to engage all students in extended conversation through think-pair-share, small group shares, and whole class conversations. Read aloud is a component that allows teachers to model/think aloud how to analyze complex text and understand/admire the use of language. Most teachers schedule read aloud for about twenty minutes daily, where students gather together to listen and discuss a community text. When choosing texts to read aloud, teachers aim to include a range of levels, genre, tones and authors. This text is often used again to demonstrate and practice explicit teaching portion of the lesson. Teachers assess students during interactive read aloud by listening to student partnership conversations to assess reading /speaking / listening skills and taking quick notes about which partnerships are thriving and which partnerships need support. Resources are used such as levelled books, engaging fiction/nonfiction texts in a range of levels, genre, tone, authors, and multicultural subject matter.

Word Study (Phonemic Awareness, Phonics, Sight Words, Spelling, Vocabulary Development):

Word study is a daily component of balanced literacy for each grade and every level of reader and writer. This is the time of day for teaching phonics, spelling and vocabulary. Teachers in grades K-3 schedule at least 30 minutes a day for Systematic Instruction in Phonics, Phonemic Awareness and Sight Words (SIPPS) and 30 minutes a day for word study. Teachers may also use strategies from Linda Mood-Bell for students who struggle with early reading. At the beginning of the year teachers conduct a diagnostic test and/or spelling inventory to determine the path for individual students. Using this data, teachers form small groups to teach SIPPS

(and Linda Mood-Bell). Groups are formed and reformed throughout the year based on mastery test data. Teachers also design activities such as word sorts, word hunts, and word games that support the various stages of spelling development. The teacher continually makes connections back to writing, as well as analyzes student work on a regular basis to see application. Teachers also infused vocabulary instruction into all content area instruction, using visuals and other supports to scaffold learning. Word study usually occurs a minimum 4 days a week for 20 minutes. Teachers in grades 4-8 do word study and vocabulary instruction as described above in addition to mini lessons on grammar. Resources are used such as Words their Way, SIPPS, and other vocabulary/grammar resources.

To support students' foundational skills in reading, New Heights' currently uses Dr. John Shefelbine's Systematic Instruction in Phonics, Phonemic Awareness, and Sight Words (SIPPS). SIPPS is a proven, research-based approach. The SIPPS program develops the word recognition strategies and skills necessary for students to become independent, confident, and fluent readers. Evaluation findings reveal that SIPPS is particularly effective for English-language learners and socio-economically disadvantaged students. SIPPS includes initial placement assessments to ensure students receive instruction at the appropriate level and regular mastery tests to regroup students as necessary. SIPPS is a streamlined approach to teaching decoding that allows intensive time for other challenging tasks such as developing academic language, comprehension, and reasoning. SIPPS Plus is also used for students in grades 4 and above who struggle with fluency.

Interactive Writing/Shared Writing: Interactive Writing is a collaborative writing experience where the group composes a large-print text together based on student interest and a real audience. Teacher guides the composition and shares the pen with students to co-write text. The composition is read and reread by the group to make reading and writing connections. The final product is conventional and can be read and re-read by the class together. One of the biggest benefits is that children who read and write very little independently, have a chance to see themselves as readers and writers. This strategy is used with emergent readers in Grades Pre-K through 3rd grade. Teachers engage in a variety of teaching from these texts across a week. Typical kinds of texts used include: daily news, recounting a shared classroom experience, retelling stories, writing directions, writing letters, and summarizing stories.

Shared Reading: Shared reading is a component of balanced literacy that provides an opportunity for the teacher to read a text with students (repeated reading with all eyes on one text). This is helpful for struggling students who need support with word attack, fluency or word work. Shared reading sessions are often scheduled for ten to fifteen minutes whole class or some teachers choose to use this component as a method of small group instruction to support readers with varying needs. Shared Reading is a collaborative learning activity based on the research of Don Holdaway (1979). Shared reading time allows teachers the opportunity to introduce students to new high frequency words in context, rather than introducing the words in isolation. Many English language learners have difficulty with high-frequency words if they are only working with them in isolation because there is no meaning connected to the word. Teachers select a couple of texts that contain the same high-frequency words so that students

can reread those words in different sentences, which will get them to read the words with automaticity.

Reading/Writing Lessons: New Heights teachers use a balanced literacy approach for reading and writing -- a curriculum designed to offer access to all students. Our work aims to prepare kids for any reading and writing task they will face or set themselves, to turn them into life-long, confident readers and writers who display agency and independence in their future endeavors.

Teachers plan units of study in advance, knowing there will be refinements along the way as students produce data for review. Teachers collect and study data on readers and writers, and then sit together with colleagues to plan your on-site adaptation of the curriculum. Teachers collaboratively study student data and plan instruction which is responsive to student's strengths and needs.

The classroom routines and structures are kept simple and predictable, as mentioned, so that the teacher can focus on the complex work of teaching in a responsive manner to accelerate achievement for all learners. Teachers personalize instruction through small group work and conferring. Teachers may use learning progressions to build on student's strengths to progress to the next levels and provide students with checklists to promote self-assessment and goal setting.

To support productive independent reading, students are given the Fountas and Pinnell Benchmark Assessment Test to determine their appropriate reading fluency and comprehension level, and then are given the opportunity to "shop" for books in the classroom library to fill their book bags with titles at their level and challenge books (one level up.) Students in 3rd grade and higher keep a journal and respond to the literature in terms of what they think or how they feel about what they are reading or students write in different genres depending on the unit.

STUDENT CONFERENCES: During Independent Reading/Writing Time, the teacher engages in one-on-one conferences with students or leads a small group of students reading/writing at the same level. The teacher works with the students on skills and strategies based on their needs.

Students engage in tasks that support their exploration and analysis of texts, understanding of its key themes and development of the language needed to discuss their ideas and analysis. All students, especially English Language Learners and students who struggle academically, are invited to reflect on their identities and how their identity shapes their lives. They reflect on their family and culture as well as their identities as readers and writers. Teachers strive to design "amplified, not simplified" lessons for students (Walqui and Bunch, 2019). Students are provide high-interest, culturally-relevant texts and given multiple opportunities to engage with these texts.

Since students develop more quickly as fluent readers and writers if they have had numerous opportunities to listen to fluent readers, students listen to fluent readers frequently through shared reading, read-alouds, books on tape, and listening centers. Additional support for students demonstrating difficulties in writing might include scaffolding in the form of graphic organizers or sentence frames, more frequent meetings with the teacher and peer support in the form of a specific writing partner. Teachers might also allow students struggling to articulate their thoughts on paper to dictate their ideas to them in order to facilitate the writing process until students become more confident in their abilities.

Based on the ELA and ELD standards for listening, students are taught that active, effective listening is a habit to develop and the foundation of effective communication. Students learn how to focus their attention, avoid distractions, use body position to signal their interest, express appreciation and appropriately pose questions. Some of the ways in which active listening skills are practiced include: following oral directions, morning meeting, partner talk during interactive read aloud, providing/receiving feedback to writers, and group discussions in science and social studies.

Listening and speaking skills are both directly taught and embedded into all activities and academic subjects. Across grades TK-8, students prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively. They integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally, and evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric. In Morning Meetings, students greet other students, share information, and engage in social skills games. Children learn how to listen respectfully, look at the person who is speaking, speak clearly, and offer thoughtful questions and comments related to the topic. Presenters learn to use proper posture and eye contact, focus their presentation, and speak in a clear, audible voice. Peers learn to listen carefully and respond with constructive questions that expand on the original subject, or empathetic comments that relate to the sharer's experience.

Students, at varying levels of depth and complexity depending on grade level, also present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience. Students strategically use displays of data to express information and enhance understanding of presentations. Students also adapt their speech to a variety of contexts and communicative tasks, demonstrating command of formal English when indicated or appropriate.

English Language Development (ELD)

The ELD program implements both the California ELD Standards and the new *English Language Arts/English Language Development Framework for California Public Schools* (ELA/ELD Framework). The school's ELD goals are directly aligned with the goals detailed in the ELD Standards and Framework to ensure that ELs are fully supported as they:

- Read, analyze, interpret, and create a variety of literary and informational text types;
- Develop an understanding of how language is a complex, dynamic, and social resource for making meaning;
- Develop an understanding of how content is organized in different text types across disciplines using text organization and structure, language features, and vocabulary depending on purpose and audience;
- Become aware that different languages and varieties of English exist;
- Recognize their home languages and cultures as resources to value in their own right and to draw upon in order to build proficiency in English;
- Contribute actively to class and group discussions by asking questions, responding appropriately, and providing useful feedback;
- Demonstrate knowledge of content through oral presentations, writing, collaborative conversations, and multimedia; and
- Develop proficiency in shifting registers based on task, purpose, audience, and text type” (ELA/ELD Framework p. 9-10).

(See section below, for more details about ELD instruction, assessment, reclassification and monitoring of ELs.)

Mathematics (core)

Students acquire a combination of mathematical skills and conceptual understanding in math. New Heights’ mathematics curriculum incorporates the curriculum content specified in California Common Core Math standards. Teachers currently use Eureka Math/Common Core Math and Illustrative Math to develop students’ mathematical thinking and strategies for solving problems. This approach emphasizes computational fluency as well as conceptual and strategic thinking processes. The curriculum emphasizes problem-based development of mathematical concepts and use of visuals to show how to solve multistep problems. The approach moves from the concrete and visual to the more abstract. Research in high-poverty schools has shown that this is more effective for developing students’ mathematics skills and knowledge than simply learning discrete skills alone shown (Knapp, Adelman, et al., 1995). Teachers design worthwhile, accessible mathematics tasks that require reasoning, problem formulation, and problem solving that invites all students, boys and girls, diverse cultural groups, and language groups into mathematics. Through the use of hands-on experiences, students engage in conversations and writing about math.

1. Concrete to Pictorial to Abstract: Teachers take students through lessons and concepts in this order. They begin with a concrete approach where students learn new concepts with the help of manipulatives for better understanding across all of the grades. From there they move to pictorial examples of the same concept. Finally, they move onto a more abstract stage using only numbers and symbols. This enables each child, including students that have different learning

styles and special needs, to not only learn the concept, but also to fully understand the concept taught.

2. Students are asked to think about math, rather than simply memorize steps to solve a problem. With this math approach, students are taught that there are often different ways to solve a problem and are encouraged to explain their thought process to classmates. This helps students to understand the math, rather than just memorize the steps to solve a math problem.
3. Concepts are covered throughout the grades with increased difficulty. This spiraling enables the upper grades to have a clearer, deeper understanding of all concepts taught.

To support the development of math fluency, New Heights' students participate in daily drills/routines to support fluency and / or online programs to support fluency. The rationale for this program is that basic math facts need to be developed to the point that they are done automatically. If this fluent retrieval does not develop, then the development of higher-order mathematics skills—such as multiple-digit addition and subtraction, long division, and fractions—may be severely impaired (Resnick, 1983). Indeed, studies have found that lack of math fact retrieval can impede participation in math class discussions (Woodward & Baxter, 1997), successful mathematics problem solving (Pellegrino & Goldman, 1987), and even the development of everyday life skills (Loveless, 2003).

The Common Core Math curriculum helps teachers to engage in several types of instructional methods to teach math including:

1. Problem Set: Students and teachers work through examples and complete math exercises to develop or reinforce a concept or procedure.
2. Socratic: Teachers lead students in a conversation to develop a specific concept or proof.
3. Exploration: Independently or in small groups, students work on a challenging problem followed by a debrief session to clarify, expand, or develop math knowledge.
4. Modeling: Students and the teacher practice part of the modeling cycle with problems that are ill-defined and have a real world context.

New Heights' students also participate in web-based math programs such as MobyMax, IXL, and Zearn. These blended learning programs enable teachers to differentiate instruction, focusing on the needs of struggling students and those ready to move beyond the grade level curriculum.

History-Social Science (core)

New Heights' history and social sciences curriculum incorporates the curriculum standards specified in the *History-Social Sciences Content Standards for California Public Schools: Kindergarten through Grade Twelve, CCSS for English Language Arts and Literacy in*

History/Social Studies, Science, and Technical Subjects (CA CCSS for ELA/Literacy), and *2014 ELA/ELD Framework*. New Heights emphasizes the use of fiction and nonfiction literature and the arts in social studies to shed light on the life and times of the people and incorporate multiple perspectives. Writing projects, role-playing, and cooperative learning are used to stimulate students' thinking and develop understanding.

New Heights's history-social science curriculum will focus on:

- Mastery of CCSS
- Emphasize using inquiry to ask and answer questions about events that shaped history, and encouraging students to pursue answers to current historical events and outcomes
- Participate as local, national and global citizens
- Make connections between past and present people, places and events in history
- Identify geographical, historical, and environmental components of California history and geography.

Broad social studies themes and content cover topics of family life, cultures, community, the environment, the study of California, geography, economics, United States and world history with connections to mathematics, science, and the arts. Learning activities engage students in reading rich literature and original source documents; students also experience daily opportunities to develop listening, speaking, research, and writing skills.

New Heights teachers currently use materials from the Teachers' Curriculum Institute (TCI), which weaves educational research with active instructional strategies. Social Studies Alive! (K-5) and History Alive! (6-8), provide standards-based, spiraled curriculum in which students work in cooperative groups to learn progressively more difficult concepts through a process of step-by-step discovery. The teaching strategies in this curriculum are based on interactive, rather than passive, learning. Every lesson in this curriculum is built around a central activity that requires students to interact with content using a different learning strategy. Teachers also use resources from other organizations, such as the Constitutional Rights Foundation to supplement their units of study and address government related standards.

Social Studies Alive! and History Alive! are based on a series of instructional practices that allow students with diverse learning styles to "experience" history. The methods are based on three theoretical premises. The first is Howard Gardner's theory that human cognition includes a far wider and more universal set of competencies than have traditionally been recognized in the schools. The second premise is that cooperative interaction can lead to learning gains if students are trained in cooperative norms and behaviors, placed in heterogeneous small groups, and assigned specific roles to complete during a multiple-ability task. The third premise behind the History Alive! approach is the concept of the "spiral curriculum." Championed by educational theorist Jerome Bruner, the spiral curriculum is the idea that all students can learn progressively more difficult concepts through a step-by-step process, if a teacher shows them how to think and discover knowledge for themselves.

Six instructional strategies are embedded in the curriculum:

1. Visual Discovery: Teachers use multi-media tools to hook students into new learning by posing a series of questions, spiraling from basic information to critical thinking, to help students use their visual skills to draw information from the projected image:

- What do you see in this picture?
- What are the people doing?
- Why are they doing this?
- When do you think this picture was taken?
- How might ____ have affected ____? What makes you think that?

As the discussion unfolds, the teacher adds historical information. Viewing the image and the written material simultaneously helps students learn and remember salient ideas that they might forget after a traditional lecture.

2. Social Studies Skill Builder: The Social Studies Skill Builder activity provides detailed information through text and visuals and invites students to interact with the information to make meaning. In one activity, students work in pairs to examine a series of placards. Each contains a 1950s photograph of some aspect of Southwestern culture—for example, ranching, irrigation, adobe architecture or blanket weaving—that has antecedents in the earlier Mexican culture of the region. The students match each photograph with a corresponding descriptive paragraph taped to the classroom walls. Students move about the classroom at their own pace as they practice the skill of reading for a purpose. As students match each photograph with a descriptive paragraph, they design a visual symbol and place it on an 11x17-inch map of the Southwest. Below the symbol they write a sentence beginning with the words: “This contribution was important because...” As students finish with each contribution, they show their map to the teacher, who provides immediate feedback and awards them points. The activity continues until students have matched all of the placards to the descriptive paragraphs and produced an illustrated map showing a variety of cultural contributions that Mexicans made to life in the Southwest.

3. Experiential Exercise: These activities help students develop an appreciation and empathy for others. It involves a simulation of what life was like in different time periods, and challenges students to react to the experience as if they were living at the time. Students use their intrapersonal and body-kinesthetic intelligences to connect to this drama of the past.

4. Problem Solving Groupwork: Students work in groups to create a class artifacts that demonstrate their new learning. For example, students studying Buddhism, Confucianism, and Taoism in 7th grade may be asked to create a character collage: the life-size outline of a figure (Buddha, Confucius, or Lao-tzu) within and around whom are placed words and visuals. This task is designed to require a wide range of intelligences—visual, interpersonal, linguistic.

5. Response Groups: In Response Group activity, students examine excerpts from primary

source documents with the task of responding to what they read. Students have the opportunity to talk about their opinions in their Response Groups, before joining a full class discussion. The change to participate in a response group tends to help students contribute more thoughtful responses in the full class discussion.

6. Writing for Understanding: Teachers ask students to place themselves in the shoes of people from the past and write short pieces, sometimes poetry, to capture their thoughts, feelings, and ideas in writing. Students are provided with visual and text support to generate ideas for their writing.

Science (core)

New Heights' science curriculum incorporates the NextGen Science Standards. New Heights uses a variety of science resources from the Lawrence Hall of Science, University of California at Berkeley. The programs integrate core ideas, cross cutting concepts, and scientific practice standards. Students at our school learn science by doing science. Teachers use an inquiry-based approach to develop students' understanding of key science concepts and academic language.

The goal is to foster in students a love of scientific inquiry and language acquisition by supporting the foundations of science: science as exploration and experimentation, and the scientific method as a way of developing and expanding human knowledge through natural, hands-on or student-led experiences. The science curriculum is supported by project-based learning; students explore scientific concepts through first-hand experiences in the areas of biology, ecology, and physical science.

The science program focuses on:

- Mastery of CCSS/Next Gen Science Standards
- Emphasize science as a process of formulating and answering questions about the physical world around them, and encourage students to pursue answers to their own scientific queries
- Promote student appreciation of the natural world and develop skills of hypothesis forming, identification, experimentation, evaluation, documentation and presentation
- Create and lead meaningful scientific experiments for students to make real-life connections and applications.

In TK-grade 8, students study the core ideas of science with resources that align to NextGen standards. Currently, students use Amplify Science. Amplify Science blends hands-on investigations, literacy-rich activities, and interactive digital tools to empower students to think, read, write, and argue like real scientists and engineers. Amplify Science is rooted in the Lawrence Hall of Science's Do, Talk, Read, Write, Visualize model of learning. This research-based approach presents students with multiple modalities through which to explore the curriculum. Each unit of Amplify Science engages students in a relevant, real-world problem

where they investigate scientific phenomena, engage in collaboration and discussion, and develop models or explanations in order to arrive at solutions. Amplify Science is a flexible, blended program. Amplify Science includes hands-on activities, print materials, and powerful digital tools to support online and offline teaching and learning.

Visual and Performing Arts (non-core)

New Heights' visual and performance arts curriculum is integrated into the life of the school, incorporating the curriculum content specified in the *Visual and Performing Arts Content Standards for California Public Schools: Kindergarten through Grade Twelve*.

The arts are part of the teaching and learning process, helping students to explore their prior knowledge through multiple means of expression, develop aesthetic literacy, explore multiple perspectives, develop keen observation skills, and better understand cultures of today and long ago. The arts are also part of the school's community building efforts, building students' self-confidence, energizing the school environment, and celebrating diverse cultures.

The five components of the Visual and Performing Arts standards -- Artistic Perception, Creative Expression, Historical and Cultural Content, Aesthetic Valuing, and Connections, Relationships, and Application -- are integrated into throughout New Heights' arts education. Students develop the "habits of mind" that produce thoughtful artists and critical viewers of art.

New Heights teachers integrate arts into social studies instruction. In addition, community artists are invited into the classroom to teach visual and performing arts classes on a rotating basis (between 18-36 lessons each school year.)

Health and Physical Education (non-core)

New Heights promotes excellent physical, social, and emotional health among students.

New Heights uses the SPARK resources, a research-based approach which includes units that make exercise inclusive, active, and fun. Each component is presented in scope and sequence via daily lesson plans. ASAP's (Active Soon As Possible) provide an enjoyable warm-up before the main lesson. SPARK also contains academic integration tips (with a special emphasis on literacy) and social skills themes by grade level. To support Health Education, the school uses the research-based resources in grades 7-8. The goals are to assist in the development of persons who are knowledgeable about human development and reproduction, who respect and appreciate themselves, their families and all persons, and who will neither exploit others or allows themselves to be exploited.

World Languages (non-core)

New Heights offers Foreign Language Exploratory sessions which provide an introduction to one or more foreign languages which emphasizes basic language acquisition and cultural

awareness. Children receive benefit from the experience and process of learning a language. This experience develops the intellectual flexibility necessary for subsequent language acquisition. Students learn to say several basic expressions in the target language, such as: greetings, counting, colors and other descriptors, foods, geographic names (the sophistication of these items being affected by student age. Students also learn to:

- Recognize the language when it is seen and heard
- Participate in limited imitative writing in context, depending on the nature of the target language (alphabetic or non-alphabetic).
- Experience music and songs from the target culture
- Identify the areas of the world where the language is spoken
- Acquire basic knowledge about the culture
- Hear or read a representative folktale or legend of the culture (can be in English)
- Acquire the above skills and knowledge as a reinforcement of social studies skills and as an expansion of linguistic development.

The programs goals are to introduce students to languages and cultures and develop initial awareness of language relationships.

12. COURSE LIST (NOT APPLICABLE)

13. INSTRUCTIONAL METHODS AND STRATEGIES

As detailed above, New Heights provides an engaging, hands-on educational program that is differentiated to meet the individual needs of students, with a focus on developing students' intrinsic motivation to engage in learning.

Additionally, New Heights Charter School classrooms are innovative in the following ways:

1. Attention to social-emotional development and identification of social-emotional skills as critical to learning.
2. Welcoming, flexible and student-centered classroom design that support curriculum and instruction through flexible seating, individualized work spaces, and collaborative spaces.
3. Emphasis on Oral Language Development: multiple, varied opportunities for students to talk, express their feelings and thoughts, and grow ideas together.

Teachers at New Heights use a variety of strategies and resources to actively engage students and teach CA Common Core Standards, based on our philosophies about how learning best occurs, our instructional philosophies and our goals in developing 21st century learners. Teachers have current knowledge about the most effective kinds of instructional practices for our students. In addition to specific strategies already discussed throughout Element 1, the following practices are utilized by our faculty:

Learner-Centered

1. *Active engagement to meet the needs of all learners:* With the learning expectations and assessments determined, teachers work together to determine the most effective teaching methods and select the appropriate materials and resources to achieve their goals with all of their students. Teachers design innovative instructional strategies by differentiating or scaffolding in order to provide equal access for all learners (including English Learners and students with special needs). Teachers utilize a repertoire of research-based instructional strategies to increase student achievement.

2. *Differentiation through blended learning:* Blended learning offers a number of advantages:

- *Differentiated small group learning:* students rotate in small groups, engaging in teacher-led instruction, individualized online instruction, and collaborative problem-solving. Students who are behind grade level can build the core skills they need, while those that are on grade level or above can push ahead.
- *Real-time data:* As students use these programs, data is automatically generated for teachers to see which skills students have mastered, which require more instruction, and so on. These reports are tied directly to CCSS so that summative data shows student mastery of specific standards as well as diagnostic data about areas in need of further development. This allows teachers to more effectively make immediate adjustments during a lesson or in preparation for a lesson to meet students' needs.
- *Student Engagement:* Today's tech-savvy students become engaged and want to participate in their learning when curriculum is provided via highly interactive, engaging games and other online experiences. Because the programs meet students at their levels, students are much less likely to be lost or bored and more likely to feel a sense of accomplishment as they progress through programs.
- *Support for English Learners: The visual support of online programs,* provide a scaffold for English Learners. In addition, programs like Zearn, provide students the opportunity to watch "video lessons" multiple times to support understanding.
- *Tech Skills Development, TK-8:* CAASPP online assessments require that students be comfortable with technology; 21st century jobs inevitably require tech proficiency. Starting in Transitional Kindergarten, students at NHCS have regular access to technology and start to master the practical technology usage and application skills that are imperative in today's world. Students at NHCS learn specific tech skills and engage in research and creation of presentations with technology. Students learn how to use programs such as Word, PowerPoint, Google Docs, as well as develop their typing and online research skills. To learn cyber safety and cyber citizenship, students participate in Common Sense Media's education programs online each year.

Knowledge-Centered

New Heights teachers organize curriculum, instruction, and assessment around powerful ideas and essential skills. Teachers collaboratively plan units of study using the ‘backward design’ approach described in *Understanding by Design* (Wiggins & McTighe, 1998).

Beginning with the CA Common Core Standards, teachers organize the standards to promote students’ understanding of the big ideas of the discipline. Teachers also consider difficulties students are likely to encounter and think through the progression of skills/concepts students will need to master to reach the desired outcome. Throughout the curriculum, teachers strive to achieve a balance of procedural/skill knowledge and conceptual knowledge, understanding that the two are interdependent.

Assessment-Centered

Teachers integrate assessment into their daily instruction. Teachers use multiple strategies such as checks for understanding during direct instruction, 1:1 conferencing, white board exchanges in math, exit tickets, and “kid-watching” group or partner conversations. Teachers use this formative assessment to help group students, differentiate instruction and refine future lessons based on students’ needs.

Teachers design multiple, varied assessments to help track students’ progress toward the end goal. For example, teachers use mid-unit and end-unit tests in math as well as interim and summative tests that track progress on the content of multiple units. The interim and summative tests are given online to help students get used to the style of test they will encounter on the state tests. In writing, students engage in a pre-unit “on demand” writing task and a post-unit “on demand” writing task.

Teachers also design or refine existing performance tasks to assess students’ ability to integrate their knowledge of multiple content standards. For example, students are given multiple integrated reading/writing performance tasks to assess their learning across different genres.

Community-Centered

Personalization: Teachers spend time, through class meetings and individual conferences to get to know each student individually and deepen their understanding of how to address his or her academic and social needs.

Responsive Classroom (TK-8th): These approaches support students’ social/emotional development and build classroom community. Responsive Classroom includes a collection of practices that bring together social/emotional and academic learning. The guiding principles include the understanding that to be successful academically and socially, children need a set of social skills: cooperation, assertion, responsibility, empathy, and self-control. Teachers use such practices as Morning Meeting, joint rule creation, interactive modeling, and collaborative problem-solving. Each of the practices seeks to foster a “positive social context” which in turn facilitates academic learning.

14. HOW THE SCHOOL'S INSTRUCTIONAL METHODOLOGIES AND CURRICULUM WILL ENSURE STUDENT MASTERY OF THE CALIFORNIA CONTENT AND PERFORMANCE STANDARDS, INCLUDING BUT NOT LIMITED TO THE COMMON CORE STATE STANDARDS, THE NEXT GENERATION SCIENCE STANDARDS AND THE CURRENT ENGLISH LANGUAGE DEVELOPMENT STANDARDS

New Heights uses CCSS-aligned instructional materials such as:

Language Arts	Leveled Books; Readers & Writers' Workshop Units of Study; Wit and Wisdom, SIPPS and Linda Mood-Bell.
Mathematics	Eureka Math/Common Core Math and Illustrative Math
Social Studies	Social Studies Alive! (K-5), History Alive! (6-8)
Science	Amplify Science
ELD	<ol style="list-style-type: none"> 1) Rosetta Stone online program 2) Grammar Gallery lessons 3) Hammeray Oral Language Development books 4) Oral language practice using Zwiers framework for academic talk focused on particular language goals based on ELL level 5) Teacher-designed lessons to support access to grade level content 6) Repeated, interactive read aloud 7) Kate Kinsella Academic Vocabulary program/approach 8) Patterns of Power language routines
P.E./Health	SPARK/FLASH
Visual & Performing Arts	Teacher-designed lessons and units
World Languages	Teacher-designed lessons and units

In addition to utilizing standards-aligned published curriculum (text and online), all New Heights faculty have received extensive training in unit planning and alignment with the CCSS, Next Generation Science Standards and the English Language Development Standards. Through ongoing assessments and review of data, teachers and school leaders continuously monitor

student mastery of content standards. This data is also used by school leaders to monitor teacher efficacy and the fidelity of CCSS-implementation, and to provide additional training and coaching as needed.

15. HOW THE INSTRUCTIONAL PROGRAM WILL SUPPORT STUDENT DEVELOPMENT OF TECHNOLOGY-RELATED SKILLS AND STUDENTS USE OF TECHNOLOGY

The most dramatic shift at New Heights in the past three years has been the integration of technology at the classroom level, especially to support math instruction. A study by the National Survey of Student Engagement reported that the online-learning experience yielded deeper use of “higher-order thinking, integrative learning, and reflective learning.” (NSSE 2010.) Students in TK-1 use Ipads for language development, enrichment, and basic skills development, while students in grades 2-8 use Chromebooks.

New Heights also uses technology in the following ways:

- Visual Representation of Ideas/Concepts: Teachers have document cameras, projectors, and laptops to provide visual stimulation for students during instruction.
- Student Research: Students have access to computers to conduct research. This is primarily used for social studies research papers and projects.
- Student Presentations/Writing: Students have access to computers to learn how to type. Students learn to type their published writing. Students also learn how to make presentations, learning how to use various programs to present information in creative and engaging ways.
- Personalization and Intervention: New Heights has purchased several online programs to support students at their point of need. These programs assess students’ strengths and needs and provide practice to build areas of weakness. The technology is used to provide individualized support, such as providing newcomer students with English Language Development programs.
- Support for Students with Learning Disabilities: New Heights has identified programs to support students with learning disabilities, such as Fast ForWord to support literacy for students with oral processing challenges and an online book resource that reads books aloud for students.

16. GRADUATION REQUIREMENTS

Not applicable.

17. CREDIT RECOVERY

Not applicable.

18. WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES (WASC) ACCREDITATION

New Heights currently has a full six-year accreditation term from WASC.

19. HOW CHARTER SCHOOL WILL INFORM PARENTS ABOUT COURSE TRANSFERABILITY AND COLLEGE ENTRANCE

Not applicable.

20. TRANSITIONAL KINDERGARTEN

New Heights Charter School Transitional Kindergarten program began in 2013, following state guidelines for enrollment. The transitional kinder and TK/kinder classroom provides students with the following:

- A lively and developmentally appropriate classroom environment;
- Academic and socio-emotional support for young learners;
- Small group activities and differentiated instruction;
- Blended kindergarten content standards, preschool foundations, and developmental extended opportunities for language, literacy, and development of math concepts through songs, play, games, and other engaging activities;
- Culturally responsive and relevant content; and
- Ongoing, intentional and purposeful parent, family and community engagement.

The TK-K program at New Heights is a seven-hour daily program blending standards from the Kindergarten Common Core for and the Transitional Kindergarten Implementation Guide published by the State of California. The focus is on social-emotional development (Responsive Classroom) in conjunction with an introduction to the four core subjects (ELA, math, science and social science), along with the arts and physical activity (PE is twice weekly). The classrooms are cheerful, print-rich environments, filled with books, toys, a dramatic play area, and lots of art and music. Learning is active, and includes whole-group activities, smaller four-group rotations and time for students to learn to be independent workers. Each day includes time for (fairly) unstructured free play.

Teachers in TK-K emphasize the importance of storytelling and books (each child chooses a book from the classroom library to take home each week), and focus on English language acquisition through both academics and play. There are a myriad of ways in which the students have early listening and speaking opportunities focused on vocabulary and grammar, which build a foundation for kindergarten standards. The students use Ipads daily with apps in

various genres (alphabet, storytelling, learning shapes and colors, and more). The students have writing folders to collect their stories and informational texts as well as and poetry folders with the poems students are learning/singing. Brief homework assignments are designed to engage parents in their children’s learning.

21. ACADEMIC CALENDAR AND SCHEDULES

New Heights Charter School has a “traditional” school calendar of 180 days of instruction.

Proposed New Heights Calendar 2021-22	
08/17/2021 - First Day of School	01/25/2022- Early Dismissal 1:15/1:25
08/24/2021- Early Dismissal 1:15 p.m. / 1:25 p.m.	02/1/2022- Early Dismissal 1:15/1:25
08/31/2021- Early Dismissal 1:15/1:25	02/04/2022 – Prof. Development – School Closed
09/06/2021 - Labor Day - School Closed	02/08/2022- Early Dismissal 1:15/1:25
09/07/2021 - Early Dismissal 1:15/1:25	02/15/2022- Early Dismissal 1:15/1:25
09/14/2021- Early Dismissal 1:15/1:25	02/21/2022 - President's Day - School Closed
09/17/2021- Prof. Development- School Closed	02/22/2022- Early Dismissal 1:15/1:25
09/21/2021- Early Dismissal 1:15/1:25	03/01/2022- Early Dismissal 1:15/1:25
09/28/2021- Early Dismissal 1:15/1:25	03/04/2022 – Prof. Development - School Closed
10/05/2021- Early Dismissal 1:15/1:25	03/08/2022- Early Dismissal 1:15/1:25
10/12/2021- Early Dismissal 1:15/1:25	03/15/2022 - Conferences-Early Dismissal 1:15/1:25
10/19/2021 Conferences Early Dismissal 1:15/1:25	03/16/2022 - Conferences- Early Dismissal 1:15/1:25
10/20/2021 Conferences Early Dismissal 1:15/1:25	03/17/2022 - Conferences-Early Dismissal 1:15/1:25
10/21/2021 Conferences Early Dismissal 1:15/1:25	03/22/2022- Early Dismissal 1:15/1:25
10/26/2021- Early Dismissal 1:15/1:25	03/28/2022 to 04/1/2022 - Spring Holiday
10/29/2021- Prof. Development-School Closed	04/05/2022- Early Dismissal 1:15/1:25
11/01/2021- Early Dismissal 1:15/1:25	04/11/2022 - School Closed
11/09/2021- Early Dismissal 1:15/1:25	04/12/2022- Early Dismissal 1:15/1:25
11/11/2021 - Veterans Day - School Closed	04/19/2022- Early Dismissal 1:15/1:25
11/16/2021- Early Dismissal 1:15/1:25	04/26/2022- Early Dismissal 1:15/1:25
11/22/2021- 11/26/21- Thanksgiving – School Closed	05/03/2022- Early Dismissal 1:15/1:25
11/30/2021- Early Dismissal 1:15/1:25	05/10/2022- Early Dismissal 1:15/1:25
12/03/2021 –Prof. Development-School Closed	05/17/2022- Early Dismissal 1:15/1:25

12/07/2021- Early Dismissal 1:15/1:25	05/24/2022- Early Dismissal 1:15/1:25
12/14/2021- Early Dismissal 1:15/1:25	05/30/2022 - Memorial Day - School Closed
12/20/2021 - 01/07/2022 - Winter Holiday	05/31/2022- Early Dismissal 1:15/1:25
01/11/2022- Early Dismissal 1:15/1:25	06/07/2022- Early Dismissal 1:15/1:25
01/17/2022 - Dr. Martin L. King Jr. Holiday	06/14/2022 - Last Day Early Dismissal 1:15/1:25
01/18/2022- Early Dismissal 1:15/1:25	

22. SAMPLE DAY SCHEDULES

TK-2 Schedule

	Monday	Tuesday	Wednesday	Thursday	Friday	Instr. Mins.
8:15-8:45	Morning Meeting	Morning Meeting	Morning Meeting	Morning Meeting	Morning Meeting	30
8:45-9:45	Reading/ Read Aloud	Reading/ Read Aloud	Reading/ Read Aloud	Reading/ Read Aloud	Reading/ Read Aloud	60
9:45-10:15	Word Study/ Designated ELD	Word Study/ Designated ELD	Word Study/ Designated ELD	Word Study/ Designated ELD	Word Study/ Designated ELD	30
10:15-10:30	Nutrition/ Recess	Nutrition/ Recess	Nutrition/ Recess	Nutrition/ Recess	Nutrition/ Recess	
10:30-11:30	Math	Math	Math	Math	Math	60
11:30-12:10	Art/PE	Shared Reading/ Shared Writing	PE	Shared Reading/ Shared Writing	PE	40
12:10-1:05	Recess/ Lunch	Recess/ Lunch	Recess/ Lunch	Recess/ Lunch	Recess/ Lunch	
1:05-1:45	Writing	1:05-1:15 Writing	Writing	Writing	Writing	40 x 4 10 x 1
1:45-2:30	Social Studies	Early Dismissal/ Teacher PD	Social Studies	Science	Science	45x4
2:30-3:15	Balanced Literacy Component		Balanced Literacy Component	Balanced Literacy Component	Balanced Literacy Component	45x4
Total Minutes	Regular Day	345 min.		Total Minutes	Early Day	255 min.

3rd-8th Grade Schedule

	Monday	Tuesday	Wednesday	Thursday	Friday	Instr Mins
8:25-8:45	Morning Meeting	Morning Meeting	Morning Meeting	Morning Meeting	Morning Meeting	20
8:45-9:45	Reading/ Language Study/ Designated ELD	Reading/ Language Study/ Designated ELD	Reading/ Language Study/ Designated ELD	Reading/ Language Study/ Designated ELD	Reading/ Language Study/ Designated ELD	60
9:45-11:15	Soc Studies	Soc Stud/ Science	Science	Science	Social Studies	90
11:15 - 11:30	Nutrition	Nutrition	Nutrition	Nutrition	Nutrition	
11:30 - 12:40	Math	Math	Math	Math	Math	70
12:40 - 1:10	Lunch	Lunch	Lunch	Lunch	Lunch	
1:10-2:00	PE		PE	PE	PE	50
2:00-2:50	Writing & Technology	1:10-1:25 Grammar/ Word Study	Writing & Technology	Writing & Technology	Writing & Technology	50 x 4 15 x 1
2:50-3:25	Art / Health / World Languages	Early Dismissal/ Teacher PD	Shared Reading/ Grammar	Word Study/ Grammar	Shared Reading/ Grammar	35 x 4
Total Minutes	Regular Day	375 min.		Total Minutes	Early Day	255 min.

23. INSTRUCTIONAL DAYS AND MINUTES

Grades	Grades Offered	Number of Regular Days	Number of Instr. Minutes Per Regular Day	Number of Early Dismissal Days	Number of Instr. Minutes Per Early Dismissal Day	Number of Minimum Days	Number of Instr. Minutes Per Minimum Day	Number of [Other] Days	Number of Instr. Minutes Per [Other] Day	Total Number of Instr. Days	Minutes Req'd Per State Law	Total Number of Instr. Minutes	Number of Instr. Minutes Above/Below State Req't.
TK/K	Yes	137	345	43	255					180	36000	58230	22230
1	Yes	137	345	43	255					180	50400	58230	7830
2	Yes	137	345	43	255					180	50400	58230	7830
3	Yes	137	375	43	255					180	50400	62340	11940
4	Yes	137	375	43	255					180	54000	62340	8340
5	Yes	137	375	43	255					180	54000	62340	8340
6	Yes	137	375	43	255					180	54000	62340	8340
7	Yes	137	375	43	255					180	54000	62340	8340
8	Yes	137	375	43	255					180	54000	62340	8340
9	No									0	64800	0	-64800
10	No									0	64800	0	-64800
11	No									0	64800	0	-64800
12	No									0	64800	0	-64800

24. EARLY COLLEGE AND MIDDLE COLLEGE HIGH SCHOOLS ATTENDANCE

Not applicable.

25. ONGOING PROFESSIONAL DEVELOPMENT TO BUILD CAPACITY

Teachers and staff at New Heights Charter School engage in a cycle of learning to build their skills in supporting students' social, emotional, and academic growth. This cycle includes the following steps:

1. **Reflection:** Each year, teachers reflect on their progress and set goals for the next year within the framework of the school's mission. Teachers reflect on their areas of strength, their areas of needed growth, and set goals for the following school year within the school's vision:
 - **Knowledge-Centered:** New Heights teachers organize curriculum, instruction, and assessment around powerful ideas and essential skills.
 - **Learner-Centered:** Students are actively engaged in the learning process, rather than passive recipients of teachers' knowledge.
 - **Assessment-Centered:** Multiple forms of assessments are used on an ongoing basis to better understand the learner's progress and needs, and to plan for further assistance. At least once a year, students exhibit their expertise before family/community during Learning Museums.
 - **Community-Centered:** Teachers spend time, through class meetings and individual conferences to get to know each student individually and deepen their understanding of how to address his or her academic and social needs. New Heights strives to be a place that is comfortable and inviting to all. The school works to

actively cultivate a feeling of respect, trust, and partnership between students, parents, and teachers.

- 2. Setting Goals and Identifying Needed Professional Development Supports at the Beginning of Each Year:** Each year starts with teachers setting professional development goals (based on their end year reflections if they are returning teachers) and identifying areas needed for growth.
 - Teachers review the Teacher Expectations document to identify the areas in which they need to most support. Teachers consult with the Executive Director and content coaches for feedback/input.
 - Teachers identify the ways in which they would like support. For example, teachers may request a particular kind of coaching approach, planning support, or a demonstration lesson.
 - Teacher goals and preferences for professional development support are shared with coaches and taken into consideration for the design of each professional development experience for the year.
- 3. Ongoing Feedback and Improvement:** Coaches engage in formative assessment/refinement in their work with teachers. This means coaches check-in with teachers throughout the sessions adjusting their support based on teachers' needs/interests/feedback.
- 4. Mid-Year Check-In:** Teachers, coaches, and the Executive Director make adjustments based on feedback on an ongoing basis. In addition, mid-year teachers are asked to reflect on their progress and to restate their preferences for professional development support on the Teachers Expectations document mid-way through the year.
- 5. End Year Reflection:** In addition to the individual end year reflection described above, teachers also reflect and give feedback on professional development supports.

PROFESSIONAL DEVELOPMENT STRUCTURES

1. Each summer, prior to the start of the school year, all teachers participate in approximately 10 days of professional development to build understanding of research-based curriculum materials, develop community, and focus on school wide goals.
2. Throughout the school year, teachers continue to engage in a three-hour block of professional development or team planning time once a week during student early release time. These sessions include opportunities for teachers to participate in grade level coaching sessions, whole faculty professional development in content areas or classroom management/social-emotional development, grade band Student Success and Progress Team discussions to prepare individual students success plans, and individual and grade level planning.

3. The school calendar includes 5 pupil-free days during the school year for faculty to engage in professional development in the professional development focus area for the year and data analysis.
4. Teachers receive job-embedded professional development from the school's Literacy Coaches, Math coaches, Science coaches, and Responsive Classroom coach. The coaches provide demonstration lessons, co-teaching opportunities, planning support, and teaching labs to improve teachers' instruction in reading and writing. The coaches support teachers with math instruction, English Language Learners, and classroom management.
5. Data Analysis and Planning: Teachers determine which student work / test data to collect, grade and sort, norm with colleagues, determine areas of strength and weakness, plan future instruction based on analysis.

FOCAL AREAS FOR PROFESSIONAL DEVELOPMENT

Each year, New Heights designs its professional development supports to balance new learning, collaborative processing of new information, and practice/feedback with time for data analysis and planning for differentiated instruction.

Topics are chosen based on student data, past adult learning, and alignment with the school vision. The current year's focus for professional development includes the implementation of strategies for analyzing complex texts to increase students' reading fluency and comprehension and writing. The focus will also include the continued implementation of Eureka Math/ Common Core Math/Illustrative Math curriculum TK-8, continued use of Amplify Science, continued support for technology integration, as well as integrating Responsive Classroom approaches to support classroom management and students' social-emotional development.

26. TEACHER RECRUITMENT

New Heights recruits teachers with California multiple subject credentials that hold a CLAD credential, although BCLAD is preferred. Teachers are versed in English Language Development (ELD) techniques. New Heights uses online recruiting tools such as EdJoin and Indeed to alert potential candidates to job openings. New Heights has also cultivated relationships with local teacher training programs at UCLA and Mount Saint Mary's and effectively utilizes their networks to conduct broad outreach to candidates.

New teachers are hired on the basis of a written application, writing sample, interview, and demo lesson. The Executive Director is responsible for all teacher hiring decisions. The Executive Director asks current teachers at the school help to consider candidates by observing the demo lesson and participating in a group interview. In addition to contacting references, New Heights ensures each teacher's credentials and background clearances are on file prior to the commencement of employment.

Meeting the needs of all students: Within the first six weeks of school, teachers utilize diagnostic assessments to illuminate student strengths and weaknesses in terms of their skills in reading, writing, and math, including Fountas and Pinnell Benchmark Reading Assessment, On Demand Writing Sample, and Diagnostic Math Test / Test of Prerequisite Math Skills. Teachers also review previous year academic and test data (where available).

Using this data, teachers complete a Class Matrix which includes each student, the teachers' recommendation for extra support, and the area in which the student has needs. These lists included data on students' EL levels including students who were reclassified in past years.

The matrix is used as a collaborative tool to coordinate support services among the teachers, the resource staff, teaching partners and afterschool staff. This is a living document which is reviewed and adjusted periodically throughout the year.

Students who are struggling are recommended for an appropriate intervention group; either before or after-school as well as during school. Letters are sent home to parents and calls are made to ensure students can attend their support session if it's scheduled before or after school. If not, students are scheduled during the day. Progress is tracked and a determination is made as to whether the intervention is sufficient.

27. ENGLISH LEARNERS

All of the major components of the instructional program have been carefully designed to promote the academic and social success of EL students. Students must achieve academic vocabulary and literacy skills to reach academic success. EL students respond well to a plan of instruction in which each aspect of the language builds on another, with plenty of opportunities for practice. Our EL program addresses the process for student identification, curriculum, assessments, reporting, and redesignation as well as professional development and teacher qualifications for working with our EL students.

In order to reach the goal of strong English fluency and respect for the mother language of our native speakers, we will provide a developmentally appropriate and highly structured approach to teaching English in our core academic classes.

Process for Identifying ELs

New Heights serves its EL students in accordance with all applicable state and Federal laws and regulations. A home language survey (HLS) is distributed to every parent as part of the enrollment process. The purpose of the HLS is to identify students who come from homes where a language other than English is spoken. The survey is equitable, comprehensive, and not based on prior assumptions. A student who lists a language other than English on any of the

questions of the HLS will be identified as an English Learner initially, until their actual language proficiency is determined through the ELPAC.

Students whose primary language is not English will be assessed using the ELPAC if the student has not previously been identified as an English learner by a California public school or if there is no record of prior ELPAC test results. ELPAC assessment will take place within 30 days of the start of the school year or within two weeks after the date of first enrollment at the school.

The English language proficiency of all currently enrolled English Learners is assessed in accordance with the test contractor's directions and California Education Code guidelines. Students with disabilities are permitted to take the test with the accommodations listed in the Education Code if they are specified in the student's IEP or Section 504 plan. An alternate assessment for English language proficiency is administered to students who are unable to participate in the ELPAC test, according to the guidelines set forth in the student's IEP. New Heights notifies parents of the school's responsibility to conduct ELPAC testing and will inform parents of ELPAC testing results within 30 calendar days following receipt of test results from the test contractor.

Parents are notified of their child's ELPAC scores each year, as well as when a student is being considered for Reclassification and again when the student is officially reclassified. ELPAC Overall Performance Level (PL) 4 has been established as the statewide standardized ELP criterion (1).

Students are currently monitored in conjunction with the California English Language Development Standards.

Educational Program for English Language Acquisition: For students that do not have reasonable levels of English proficiency, designated English Language Development (ELD) is provided in small groups by the classroom teacher, the teaching partner, or the resource teachers with students of similar language needs. These small groups are conducted during the day, in the classroom, and some students also agree to participate in small groups/online support in afterschool/before school settings.

Designated ELD is a protected time during the regular school day when teachers use the ELD standards as the focal standards to support students as they enter new content and to deepen their content understanding through English language development. This small group work is connected to instruction in all academic subjects. The small group emphasis is on oral language development, including vocabulary, reading and writing skills. During this time, EL students build conversational practices, grammar, and vocabulary necessary for success in all academic tasks. This small group time allows teachers to target gaps in skills and understanding as they relate specifically to students' language learning needs. Teachers use texts to prompt conversation, support higher level thinking about texts, with a particular emphasis on vocabulary development.

Resources available during small group ELD instruction include:

1. Oral Language Development Readers, designed to support oral language development through interaction with text.
2. SIPPS Plus instruction for older students with difficulty with reading fluency.
3. Levelled books to support student fluency, comprehension, and oral language development, including high interest/low level books.
4. Small Group Interactive Read Aloud with dramatic gestures and quick definitions to support vocabulary and partner talk to support comprehension.
5. Book Clubs: teacher facilitated book clubs to provide support through sentence starters, visuals, whisper coaching for students to keep the conversation going, etc.
6. Partner Talk/Group Talk about Texts: Teachers provide academic language prompts/sentence starters/sentence frames to support extended conversations.

Newcomer students receive the following additional supports: immediate Student/Family Support consultation to understand students' background, social/emotional needs, level of schooling, and pertinent background information from parents/guardians. Newcomer students are also asked to extend their school day to include more practice time with Rosetta Stone's computer-based English Language Program, given technology devices to practice language apps and listen to literature read to them from audio books during independent Reading and Writing Workshop block each day.

How The Program Will Use The Results Of The ELPAC

The New Heights programs to support English Learners are based on the California ELD Standards. The CA ELD Standards "amplify the language knowledge, skills, and abilities" needed to access standards-level work at each grade.

EL instruction at New Heights is grounded in the best available research on supporting ELs in an English Immersion environment and guided by the CA ELD Standards. Students will be expected to move through the phases of Emerging, Expanding and Bridging. So that students, before they graduate New Heights, will acquire a high level of English language skills and can apply them in a wide variety of contexts, including comprehension and production of highly technical texts. However, ELs at all levels of English language proficiency fully participate in grade-level tasks in all content areas with varying degrees of scaffolding in order to develop both content knowledge and English. Teachers will assess student progress towards attainment of the ELD standards using a standards-based guide, for example, EL folders.

New Heights will ensure that teachers are qualified and supported to meet the needs of ELs. We recruit teachers that hold a CLAD credential, although a BCLAD is preferred. We expect teachers to use their multicultural training to provide strong instruction within a structured immersion classroom. We also support teachers by providing professional development on structured immersion instruction, designated and integrated teaching strategies, language

development, monitoring, and assessment of ELs. We provide regular professional development specifically addressing the instructional effectiveness, reviewing assessment data and revising curriculum to meet our EL students' needs.

Parents are notified regarding their child's English Language Development, along with ELPAC scores, every progress report or every reporting period and/or as often as needed.

Meaningful Access to the full Curriculum

All students are grouped in mainstream classrooms that implement ELD (designated and integrated) strategies. With integrated ELD instruction teachers use modeling, graphic organizers and visuals to support students' recognition of essential information in all academic subjects. Teachers are mindful of the stages of language acquisition and differentiate instruction within the classroom to meet the needs of each student.

Appropriate language support is provided to students. Teachers work with EL students through daily reading, writing, and discussion activities to determine each student's literacy habits and skills. Teachers integrate language learning, academic content, and learning strategies. Three relevant themes guide the school's English Language Learner support system: (1) the critical role of vocabulary in language development; (2) the critical role that oral language plays in the development of academic English language proficiency, including vocabulary, reading, and writing skills; and (3) the critical relationship between English language acquisition and instruction in other academic subjects.

Research-based methods are used regularly by classroom teachers for **designated and integrated** ELD throughout the school day. After careful review of the student data and available research on best practices to support ELL students, teachers are implementing the following **integrated** strategies/supports to build students' language skills, such as:

- 1) High interest leveled books organized in classroom libraries (based on Fountas and Pinnell's Levelled Benchmark Assessment system) are used daily to encourage readers,
- 2) Daily oral language development through Morning Meeting and/or partnership talk
- 3) Systematic Instruction in Phonics, Phonemic Awareness, and Sight Words (SIPPS, Grades K-3 and SIPPS Plus, grades 4-8),
- 4) *Text Talk* (grades 1-3), Making Meaning, or other read aloud approaches to build academic vocabulary and oral comprehension, including repeated, interactive read aloud.
- 5) *Brain Pop* or other multi-media support (video/visual support for content learning),
- 6) *Words Their Way* (grades K-8) or other word study approaches to build students' knowledge of words, and
- 7) Online math programs, such as Zearn (K-5) and IXL (6-8), provide technology-infused, visual support for math.
- 8) Oral language practice using Zwiers framework for academic talk.
- 9) Fountas and Pinnell Levelled Intervention Kits for struggling readers.

Designated ELD instruction is given in small groups for at least 30 minutes during the school day in the classroom by the classroom teacher. The small groups receive support through teacher-led instruction and/or language-based computer programs including:

- 1) Rosetta Stone online program
- 2) Grammar Gallery lessons
- 3) Hammeray Oral Language Development books
- 4) Oral language practice using Zwiers framework for academic talk focused on particular language goals based on ELL level
- 5) Teacher-designed lessons to support access to grade level content
- 6) Repeated, interactive read aloud
- 7) Kate Kinsella Academic Vocabulary program/approach
- 8) Patterns of Power language routines

When needed, additional support is given before school and afterschool for students who struggle. Online programs are available during these times, including Fast ForWord, a web-based reading program designed for students with oral language processing challenges.

Students participate in a daily balanced literacy approach taught by self-contained teachers with the appropriate certification.

Process For Annual Evaluation Of The School's English Learner Program

New Heights teachers review EL data from formative and summative assessments to regularly evaluate student progress. Teachers use this data to modify their instructional practices to better serve each English Learner.

In order to document progress, all teachers receive an ELD folder for each of their EL students that is used to monitor individual progress at their targeted ELD level. Teachers use these

folders to collect student work samples, document Reading Levels, and check of mastery towards ELD and ELA standards. Portfolios are submitted for review at least twice a year. In addition to ELD folders, data documenting students ELL status, parental notifications to date, academic progress to date, and final reclassification decisions is also kept in students' cumulative files along with ELPAC scores. Teachers review this master folder for each EL student early in the fall semester in order to provide teachers with most accurate reflection of their student's progress to date.

Every year, the teacher leaders, administration, and Board reviews the school's EL program, surveying teachers, students, and parents, analyzing reclassification rates, and examining assessment data to evaluate whether the New Heights EL program is effectively meeting the needs of our students.

New Heights offers a variety of opportunities for parents to learn ways to support their EL students and the EL program as a whole. For example, the school hosts English Language Development Advisory Team meetings to review and improve our work with EL students and Academic Family Nights for parents to learn strategies to support their children's learning. New Heights reaches out to parents by sending home translated letters discussing students' progress and providing tips on how parents can help encourage their children to read and develop their English language skills.

Process And Specific Criteria For Reclassification

Reclassification is based on state language test scores, teacher evaluation, internal basic skills assessment, state test scores and parent input. Students scoring a "4" on the state language test (ELPAC) are considered for possible reclassification. Annual Review of Student Progress begins mid spring, after language test scores become available and work samples are collected and analyzed.

In addition to the state language test results, criteria used to make the reclassification decision include an evaluation of the student's academic performance by the teacher, including review of work samples indicating Average Progress or Advanced Progress, the parent's opinion about the student's proficiency in English, and the student's performance on the SBAC test and/or internal measures of basic skills, which can include scores on the writing rubric and reading levels as measured by the Fountas and Pinnell Benchmark Reading Assessment. Annual Review of Student Progress begins mid spring, after language test scores become available and work samples are collected and analyzed.

Basic Skills Assessment

Grades K-2: Proficiency of 2 or above on Fountas and Pinnell

Grades 3-5: Proficiency of 2 or above on Fountas and Pinnell or Standards Met or Standard Exceeded on ELA SBAC

Grades 6-8: Proficiency of 2 or above on Fountas and Pinnell or Standards Met or Standard Exceeded on ELA SBAC

Teacher Evaluation

Grades K-8: Average writing rubric score of 2 or above from on demand writing and average over “2” on report cards.

The reclassification team (which includes the teacher, the Executive Director and/or ELL support person, and may include a parent) reviews the information listed above and discusses teacher and parent recommendations in a reclassification meeting.

If a student satisfies all of these requirements, he/she will then be recommended for reclassification. Students are continued to be monitored for two years after official reclassification.

Student with Disabilities, including those on the alternate curriculum, are to be provided the same opportunities to be reclassified as students without disabilities. Therefore, IEP teams may determine appropriate measures of English Language Proficiency and performance in basic skills, and minimum levels of proficiency on these measures that would be equivalent to a native English-speaking peer with similar disabilities in the same grade level. When students who have had the benefit of six or more years of ELD support do not meet the four criteria for reclassification as established by New Heights, it is possible for the IEP team to consider reclassification based upon a process which considers the impact of his/her disability on English Language Proficiency. If the IEP team believes that a student would still benefit from ELD support because he/she has not fully developed English language proficiency, reclassification may not be appropriate.

The reclassification team includes the teacher, the Executive Director/or designee, the teaching partner, parent, and may include a resource teacher. A student will continue to be monitored by the reclassification team for two years after official reclassification.

Process For Monitoring Progress Of English Learners And Reclassified (RFEP) Students

New Heights will use a systematic process to monitor ELs’ progress toward English proficiency. Throughout the year, teachers will use benchmark and summative assessments to monitor student progress. This assessment data will be used to determine each ELs’ proficiency and teachers will modify instruction to meet students’ needs. Teachers will gather student work samples and assessments and evaluate progress using ELD folders on a regular basis, at least twice a year. Using a variety of assessment methods (i.e. on demand writing samples, informal observations of listening and speaking, Fountas and Pinnell), teachers will regularly examine student progress toward ELD standards in order to tailor instruction to ensure that students meet annual goals. New Heights teachers will also identify target ELD standards to focus on in their long-term and unit plans.

The school’s reclassification team will also monitor the progress of students reclassified as RFEP for two years following redesignation to ensure that these students maintain English proficiency. When students appear to not maintain proficiency, New Heights will provide necessary support and intervention.

Process for monitoring progress and supports for Long Term English Learners (LTELs) and Students “At-Risk” of Becoming LTEL’s

The yearly Program Evaluation will consist of three major aspects: ongoing needs assessment, document reviews to ensure compliance with the policy, and ongoing coaching and staff development support. Key to this process is a review of students’ ELD folders for each of their ELL students. These folders are used to monitor individual progress at their targeted ELD level. These folders include students’ ELD levels, student writing samples, and Reading Levels, to show mastery towards ELD and ELA standards. In addition to ELD folders, students have a cumulative folder with state test data, parental notifications, and final reclassification decisions. It also serves as an archive for Language Assessment Scores and student work from previous years. The cumulative folder for each student is reviewed by the teacher early in the fall semester in order to provide teachers with the most accurate reflection of their student’s progress to date.

The schoolwide English Language Learner program is evaluated each year based on student data (EL, LTEL, at-risk of LTEL, and RFEP, classroom observations of language instruction, parent input, and faculty input. The evaluation also reviews the efficacy of the program resources chosen for instructional purposes for designated ELD and integrated ELD. Each year, a class matrix is completed based on universal screening tools to identify all students, including EL students, and their mastery of standards in ELA and Math. All students performing below expected grade level performance are assigned to intervention supports. These supports are given during the school day in small groups or one-on-one support, as well as before and afterschool. All EL students who are encountering challenges (as measured by the CELDT, by SBAC, and by the school’s internal measures) are placed in small groups for additional support. Progress is monitored regularly to support future instruction and assessments are given to determine effectiveness and make major changes if needed. New Heights will make students and their parents/guardians aware of their LTEL status, the characteristics of LTEL students, and the risks associated with LTEL status, as well as benefits to reclassification and ways to address to reclassification.

28. GIFTED AND TALENTED STUDENTS AND STUDENTS ACHIEVEING ABOVE GRADE LEVEL

New Heights is committed to challenging each student to achieve at his or her greatest potential. Through personalized and differentiated instruction, students are presented with tasks that will challenge them. Students are given the appropriate amount of support to ensure their success.

Using units of study, students are introduced and given access to the core tasks of each discipline, to “big ideas” that require serious thought, and to performance tasks that require understanding. New Heights focuses on differentiation within the classroom to meet the needs of all learners. Teachers consistently analyze student data and performance to inform their instructional focus and promote appropriate opportunities for individualization. Teachers use

this information to create learning activities that target the needs of all students, including students achieving above grade level. Advanced students benefit from:

- Using different text levels in independent reading and small group reading instruction.
- Homogeneous grouping for challenge projects.
- Assigning challenge problems for early finishers.
- Pursue topics in depth at a pace commensurate with their abilities and intensity of interest.
- Experience the use of intellectual abilities and senses necessary in creative endeavors.

Students with a particular talent or interest are encouraged to develop these interests. In addition to rich academic instruction, New Heights Charter connects students with enrichment programs following regular school hours for tutoring, performing arts, recreation/sports, and technology.

If parents or teachers wish to engage in the process to identify particular students as GATE, New Heights will follow the LAUSD process for GATE identification including completing paperwork, and providing recommendations or testing to determine students' qualifications for GATE programs in other schools.

29. STUDENTS ACHIEVING BELOW GRADE LEVEL

Academically low-achieving students are fully supported to ensure they meet grade-level standards. An active support system aims to fill in the gaps in students' knowledge and skills and helps students move ahead. The support system includes the following strategies:

Identification of Students Achieving Below Grade Level

- At the beginning of each school year, diagnostic assessments illuminate students' weaknesses and inform teachers of the areas where students need support.
 - Reading Fluency: SIPPS diagnostic assessment for students in grades K-3
 - Reading Fluency and Comprehension: Fountas and Pinnell Benchmark Reading Assessment for students in grades 1-8
 - Math Assessment: Teachers design an assessment to gauge the level of students' math skills that are prerequisite for upcoming math instruction.
 - Writing: Students are given an "on demand" writing task to demonstrate their skill and understanding of genre and writing skills.

Collection and Analysis of Diagnostic Data

- Teachers collect the data described above within the first month of school.
- Teachers work together with their colleagues, including Teaching Partners, collaborating grade level teachers, resource teachers, and coaches to analyze data.
- Teachers then create a Class Matrix for ELA and for Math that pulls together all the data, highlighting the students in need of additional support.

Support Options for Students

- Small group instruction is used to support all critical skill development, such as reading fluency and numeracy.
 - Students may work in small groups inside the classroom with the classroom teacher.
 - Students may work in small groups inside the classroom with a Teaching Partner.
 - Students may be placed in Response to Intervention, working one-on-one or in small groups with the teacher, Teaching Partner, or resource teacher.
- Students may be recommended for before or afterschool intervention groups.
 - Students may receive homework support before school.
 - Students may be placed on online technology programs before or after school, such as Fast ForWord (reading and language), Zearn (math), MobyMax/IXL (ELA and Math).
 - Students may be recommended to join an afterschool intervention/tutoring group, taught by a credentialed teacher up to 4 days a week for one hour.
- Teacher Organize their Classroom Instruction to Support Differentiation
 - Teachers may differentiate instruction in math by teaching the math lesson in small groups to better meet students' needs, ensuring students have the appropriate amount of challenge and a support system to ensure mastery.
 - Teachers may differentiate in writing by allowing students to use different kinds of writing templates that match their level of development.
 - Teachers may differentiate in reading by adjusting the pacing of their instruction to best support student learning.
- All reading instruction is individualized. Students have a choice of books to read independently at their reading level. Through one-on-one conferences and small group work, students are taught how to access increasingly difficult levels of text.
- Ongoing formative assessment is part of the regular classroom pedagogy, allowing teachers to identify challenges and target specific areas of need. For example: students complete "on demand" responses to reading within a unit of study to help teachers adjust their upcoming mini-lessons and small group work, and in SIPPS students are placed at their level to begin the program, and they are regrouped if they progress at different rates.
- Each classroom is a caring community to provide students with a safe learning environment.
- Parents are engaged in enhancing their child's development through at-home collaborative learning activities, support for independent reading and at-home read-alouds, and at-home math games.

These approaches are sustained by a classroom and school-wide learning environment that fully supports student development by creating powerful relationships between teachers and students and effectively balancing seriousness about intellectual work and celebrations of learning.

The New Heights curricular resources for science and social studies were chosen for their accessibility. For example: the textbooks used in the History Alive! program are described as having “considerate text” because they are designed so that all students have access to the social studies content, even struggling readers. Rather than attempt to cover everything at the expense of student understanding, these texts serve as a springboard for deeper understanding and further learning. Additionally, these texts are written at a level that all students can read and use independently. Features of these textbooks that make them considerate of students’ learning needs include:

- Each chapter has a clear and simple organization. The clear headings and the easy-to-read introduction and summary sections will help students identify the big ideas in the chapter.
- Each chapter begins with a graphic organizer – a picture that represents the chapter topic. The graphic organizer also appears in the Reading Notes in their Interactive Student Notebook. Research shows that graphic organizers are powerful tools to help students remember key ideas long after they’ve read the chapter.

Students Success and Progress Team: Any faculty member who thinks a student may have a disability brings supporting data to a meeting with other faculty members in a Support Success and Progress Team meeting. Parents are included in these meetings, although meetings may occur with school staff only, if parents are not available, and the results of the meeting are then shared with parents. SSPT Meetings are held in concert with the school’s response to intervention process which includes goal-setting, identification of targeted interventions, and pre/post data collection. Team members discuss individual students with needs in academic and social-emotional development. The Support Success and Progress Team reviews prior interventions, accommodations, and modifications and recommends further supports as needed. If the SSPT determines that an assessment is appropriate, the Special Education Coordinator requests parent consent for the assessment plan.

At any point in this process, parents may request a formal evaluation to determine eligibility for special education. This process is not used to deny or delay a formal evaluation for special education.

Multi-Tiered Approach to Intervention

New Heights currently offers a variety of research-based educational approaches:

Program	Purpose	Level of Intervention	Assessments
SIPPS	Reading Fluency: Phonics, Phonemic Awareness, and Sight Words	Tier I: All students K-3 led by classroom teachers and teaching assistants	SIPPS includes universal mastery test and subsequent probes every week or two weeks.

Zoo-phonics (TK/K)	Early childhood reading and writing	Tier I: TK/K led by classroom teachers and teaching assistants	Observations, informal and formal assessments
Balanced Literacy	Reading and Writing	Tier I: TK-8 Tier II: Targeted strategy group or guided reading instruction	On Demand Assessments measured by standards-based rubrics
Grammar Gallery and Quill	Writing and Grammar	Tier I and Tier II (small groups): K-8	Skill-based assessments
Eureka Math and Illustrative Math	Common core math curriculum	Tier I: TK-8	Mid-Unit and End-Unit Assessments
Zearn (K-5) online standards-based math to provide alternate mode of instruction	Conceptual understanding in math based on grade level standards	Tier I: Grades 2-5 facilitated by the classroom teacher	
IXL	Standards based math	Tier 1: All students Grades 6-8 with classroom teacher Tier 2: Skill-based practice to build up to grade level standards	Online monitoring: daily, weekly, bi-monthly
Fountas and Pinnell Levelled Literacy Intervention Kits	Reading Fluency and Comprehension	Tier 2 and 3: Students in grades 1-8	Built-in weekly assessments
SIPPS Plus	Reading Fluency for Older Students	Tier 3: Grades 4-8	Built-in weekly assessments
Fast ForWord	Reading fluency, comprehension, and vocabulary	Tier 3: Students with auditory and other processing challenges	Initial placement assessment, Built-in mastery level assessments
Seeing Stars (Linda Mood-Bell)	Reading	Tier 2 and Tier 3: Students with reading challenges, including Dyslexia	Observations, informal and formal assessments
Small Group Strategic Instruction targeting students' individual needs in math	Math concepts and skills as determined by assessments.	Tier 3: In classroom with teacher or teaching assistant and/or in Resource Room with Resource Teacher	Weekly skills-based assessments

30. SOCIOECONOMICALLY DISADVANTAGED/LOW INCOME STUDENTS

New Heights was designed to meet the needs of low-income students – currently 97% of our students qualify for free or reduced-price lunch. Everything the school does is to support students who don't have the advantages of middle/upper income families. In particular, New Heights utilizes small class sizes and capitalizes on the benefits of being a small school to ensure close relationships between every student and at least one adult. All staff and faculty are trained to recognize the signs of extreme poverty; the Student and Family Support Coordinator and Executive Director are available to help support students and their families with referrals to community service agencies and other supports.

Children's emotional well-being is supported by creating a safe environment for children. At New Heights we do this by establishing routines, setting clear expectations, teaching communication and problem-solving skills, teaching children to identify and understand their own feelings and the feelings of others, and developing knowledge and skills for healthy living.

The school offers the following supports for low income students and their families:

- **Counseling:** On campus, short-term crisis counseling is provided by need. Counseling helps students whose behaviors are result of emotional distress and/or a crisis or family/environmental issue. Students are referred to community counseling agencies, if long term or more intensive counseling support is needed. Short-term crisis counseling lasts no more than six weeks. Teachers, staff, and parents refer student for crisis counseling by completing a student support referral form.

For long term/more intensive counseling services, teachers, staff or parents should also complete a student support referral form and the classroom teacher will work with parents to set-up a meeting to discuss concerns. If needed/requested, the parent will be provided with community counseling information. Current community partner organizations include Vista Del Mar, Exceptional Children, and LA Child Guidance.

- **Restorative Justice Practices:** Restorative justice is based on a set of principles that guide the response to conflict and harm. Restorative justice strategies provide opportunities for students to be accountable to those they have harmed and enable them to repair the harm they caused to the extent possible. The following restorative justice strategies will be implemented: conflict resolution and problem-solving meetings between students and staff, and staff training and consultation regarding restorative justice and conflict resolution practices.
- **Behavior Intervention Support:** Behavior intervention support is provided for students who have exhibited problematic behavior in and outside of the classroom. A high degree of support is given to both the student and the teacher in order to help develop desired behaviors. Modification support is based on results of the functional behavior assessment (FBA) and action steps stated on the behavior support plan (BSP). The

student support team will consult with teachers to help develop and implement a detailed behavior support plan; and provide classroom support, observations, and specific student interventions based on need.

New Heights provides a full day of service for students and parents, including breakfast, second breakfast for students who miss first breakfast, and lunch. Parents are able to drop-off their children starting at 7:00 a.m.

31. STUDENTS IN OTHER SUBGROUPS

As noted, New Heights is designed to provide a high-quality education to some of South Los Angeles' most under-served students, including those who may be in foster care, homeless or experiencing housing instability, or have other special needs. The Student and Family Support Team works with students who have significant needs and works in collaboration with the school's Homeless Liaison/Coordinator and Foster Care Coordinator.

Identification of Homeless Students: New Heights takes proactive steps to identify students experiencing homelessness. Identification is the first step to connecting students in homeless situations with the information, resources, and supports necessary to ensure their equal access to the same free, appropriate public education. Through outreach and coordination activities with other entities and agencies, our homeless coordinator/liaison and our Student and Family Support team work together with teachers to ensure students in homeless situations are identified. As a team, we:

- raise awareness throughout the school and the community of the definition of homeless, the rights provided to eligible students under the McKinney-Vento Act, and the role of the local liaison in working with others to identify homeless students;
- keep abreast of community trends including levels of poverty among families; trends in foreclosures, evictions, and the availability of affordable housing; and student mobility; and
- provide targeted outreach through information sharing and gathering activities such as a yearly housing questionnaire as part of the district's enrollment packet to screen for possible McKinney-Vento eligibility; posting notices of the rights of McKinney Vento students and sharing information about McKinney-Vento eligibility and services in student handbooks, on the school district website.
- Staff are reminded that students who may be at risk for homelessness include:
 - Students not responding to teacher or school correspondence,
 - Families who mentioned changes in addresses, etc.

New Heights has a designated Foster Youth coordinator who ensure the rights of foster youth are met including the right to stay in the same school after a move to a new foster care placement and the right to immediately enroll and fully participate in school activities, even without all the paperwork needed. The coordinator works with the Student and Family Support Team who provides check-in calls to

students/guardians to ensure they are accessing our supports and services. Student and Family Support Team members maintain communication with community-based social workers, crises teams, and community-based mental health agencies.

Meeting the Needs with Services and Supports

New Heights Charter School addresses the needs of foster and homeless youth as well as youth experiencing grief, trauma, or mental health issues with the following supports:

- Ensure students have strong attendance and participation in learning.
- Ensure students feel a sense of belonging and connection so that they are more likely to take the risks needed for deep learning.
- Differentiate through small group sessions.
- Provide additional intervention sessions at the end of the school day.
- A member of our Student and Family Support Team to each foster student/family to act as their Advisor – a primary contact and advocate, ensuring their needs are met. The Advisor will conduct check-in's with the student to support their social, emotional and academic development, provide help with how to access teachers, how to get mental health supports, and how to address food insecurity.
- Pupils experiencing Homelessness receive the supports listed above as well as distribution of clothing and class supplies/equipment as needed to ensure students can fully participate in learning.

In addition, teachers are reminded of the homeless resources at the school and county and asked to be flexible as homeless students might need to have additional time for assignments and might not be receiving notifications from the teachers and/or school. Students and their families may need additional time to get learning materials.

Staff reach out often to families and youth currently identified as homeless to monitor their current living situations, health, safety, basic and education needs while being sensitive to their feelings.

Monitoring Progress: The Resource team and Students and Family Support Team meet regularly with the Executive Director or designee to discuss the needs of our most highly impacted families, including students experiencing homelessness and students in foster care. Progress checks are shared about each student and the team works together to problem-solve any challenges with academic progress.

32. "A TYPICAL DAY"

A typical day at New Heights Charter School begins with a morning program at 7:00 am to allow students to engage in extra academic support, have breakfast, exercise, and allow parents to drop their children off in time for work. At 8:10 (or 8:20 at upper campus), teachers greet their students and walk them to class. On most days, classes begin right away with a Morning Meeting to ensure that all students are welcomed to the day and have a chance to be heard and to listen to their peers. The Morning Meeting sets the tone for the day and sends the message that the classroom is all-inclusive and that each person matters to the classroom community.

Students then engage in balanced literacy or math instruction. During balanced literacy, teachers teach a strategy lesson highlighting the strategies needed for competence in the genre being studied in the current unit. The lesson is followed by independent/small group reading/writing – students work on their writing, read of book of their choosing (one their independent reading level), or participate in small group study of a text. During this time, teachers pull small groups of students for strategy or guided reading groups or one-on-one conferences.

In math instruction, teachers may begin with fluency drills/routines for 10 minutes or they being with a ladder of math problems that starts with a problem that all students can access. Students are guided to an understanding of the math concept and then given time to practice. Math instruction usually ends with an exit ticket, which provides data for teachers for future teaching and allows students a chance to independently show what they know. In some classrooms, blended learning is used so that students rotate from a teacher-directed station to an independent online station, to a collaboration problem-solving station.

Students have 15 minutes for a morning break. This provides time for students to exercise, meet with teachers, and have breakfast, if they missed breakfast in the morning. Students engage in physical activity at least four days a week to support their overall healthy development.

Science instruction integrates literacy and hands-on engagement with the content. Students might be working in small groups to notice the parts of different “systems” as an introduction to the systems of the human body. As they work, they are drawing their observations, using academic language to label their drawings, and then discussing their representations with their group members. Students may then engage in partner reading to deepen their background knowledge on systems from a nonfiction text.

Social Studies/History instruction utilizes a variety of learning modalities. For example, students might be doing “visual discovery” using *American Progress*, an 1872 painting by John Gast depicting an allegorical representation of Manifest Destiny. Or students might be working in cooperative groups to study different parts of daily life in early Egypt.

Throughout the day, members of the staff and faculty are collaborating to best serve students. A teacher may be having lunch with a student from last year who is experiencing challenges this

year, a literacy coach may be observing and then giving feedback to a teacher, the lunch staff may be sharing information about a social issue that arose during lunch with their teacher when she comes to pick them up from lunch, students may be hatching plans for the school's next spirit day and bringing their ideas to the Executive Director, the Resource Teacher may be working with a Teaching Partner to build their ideas for supporting language development, Student and Family Support may be responding to a teacher's text for support thinking through a logical, respectful, and related consequence for a behavior she hasn't encountered before, and grade level teachers and their teaching partner are spending time afterschool planning together based on their student data and work samples.

ELEMENT 2 – MEASURABLE PUPIL OUTCOMES AND

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 pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.” (Ed. Code § 47605(c)(5)(B).)

“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.” (Ed. Code § 47605(c)(5)(C).)

MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM

Charter School shall meet all statewide content and performance standards and targets. (Ed. Code §§ 47605(d)(1), 60605.)

Charter School shall comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula) and AB 484 (2013), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

STANDARDIZED TESTING

Charter School agrees to comply with state requirements for participation and administration of all state-mandated tests, including computer-based assessments. Charter School shall submit and maintain complete, accurate, and up-to-date California Longitudinal Pupil Achievement Data System (CALPADS) data in accordance with the requirements of California Code of Regulations, title 5, section 861. 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. Upon request, Charter School shall submit, in the requested format (e.g., CD), a copy of the results of all state-mandated tests to the District.

1.MEASURABLE GOALS OF THE EDUCATION PROGRAM

Please see Element 1.

2.MEASURABLE PUPIL OUTCOMES: SUMMATIVE ASSESSMENT PERFORMANCE TARGETS

Please see Element 1.

3. STANDARDIZED ASSESSMENTS FOR STUDENTS NOT PARTICIPATING IN CAASPP (K-2)

Please see Element 1.

4. OTHER PERFORMANCE TARGETS

Please see Element 1.

5.METHOD FOR MEASURING PUPIL PROGRESS TOWARD OUTCOMES: FORMATIVE ASSESSMENT

The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060. 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.

New Heights Charter School employs daily formative assessment to better understand what students know and can do. This formative assessment is grounded in an understanding of the progression of learning required for each unit of study. As described in the earlier sections of this petition, formative assessment provides students with opportunities to revise and improve the quality of their thinking and understanding. The goal is for students to gain meta-cognitive abilities to self-assess, reflect and rethink for better understanding. Teachers integrate formative assessments through 1:1 reading and writing conferences, observation of partner and group conversations, checks for understanding, exit tickets in math, small group strategy groups, and on demand writing tasks given prior to the launch of each writing unit.

In addition to daily formative assessments, New Heights utilizes the following assessments schoolwide to gauge student progress, analyze trends across the school as a whole or for subgroups, and inform future instruction.

1. Beginning of Year and End of Year normed assessments Online: Two times per year
2. Smarter Balanced Interim Tests Online: At least 1 time per year
3. Teacher-Designed (or Refined) Performance Tasks for ELA and Math: At least twice a year
4. Fountas and Pinnell Benchmark Reading Levels: At least two times per year
5. On Demand Writing for each Unit of Study: Pre and Post On Demand
6. Math Exit Tickets, Math Fluency Tests, Mid-Module Assessments and End Module Assessments.
7. Science Unit Assessments: At the completion of each unit
8. Social Studies Unit Assessments and Projects: At the completion of each unit

Irene Fountas and Gay Su Pinnell's systematic reading benchmark assessment system is used to show growth in reading. The system is currently used schoolwide to support teachers to identify students' instructional and independent reading levels and match them to thousands of "just right reading level" books in libraries in classrooms throughout the school. This system also allows for small-group reading instruction to occur at the appropriate reading level such that targeted needs are addressed. With this system, teachers are able to document student

progress across a school year and across grade levels to inform programmatic decisions and curriculum design.

New Heights use norm-referenced tests like Track My Progress to gather data for students in math at the beginning and end of the year. The data analysis is tied to professional development on standards-based instruction so that teachers can enhance their understanding of student performance and modify instruction accordingly.

New Heights teachers work in grade level teams on a weekly basis to review student data and work samples, to rethink their pedagogical practices, form small groups of students with similar challenges, and plan units/lessons to address specific student needs. Literacy and math coaches, along with the Executive Director meet approximately 10 times per year to discuss the progress of individual students and groups of students in every classroom in order to ensure that all students make satisfactory progress toward the mastery of goals.

NEW HEIGHTS CHARTER SCHOOL ASSESSMENT CHART

	Diagnostic	Checks for understanding	Observation and Dialogue	Quizzes and Tests	Academic Prompts/ Student Work	Performance Tasks
SIPPS: Phonics, phonemic awareness, sight words	Test of Basic Phonics	Daily Spelling Tests	Observation during choral reading	Mastery Tests		Fluent Reading
Interactive Read Aloud: Reading Comprehension		Class Discussion after read aloud	Observation during Think, Pair, Share and Write, Pair, Share			
Fountas and Pinnell: Reading Fluency and Comprehension	August/ Sept: determine reading level			Reading Levels: January/ February and May/June		
Writing	On Demand: First week of school	Feedback on Writing Notebooks	Conferring		On Demand Writing at the beginning of each new genre and at the	Published Writing. Teacher-Designed or Interim Performance Tasks

					end of each unit in writing	integrating reading and writing given after each genre study.
Science		Ongoing	Observation/Conferring with small groups	Multiple Choice/Short Answer		
Social Studies Alive! and History Alive!	Preview Assignment	Review of student notebooks	Observation during activities	Multiple modes of assessments	Processing Assignment	Teacher-Designed Culminating Perf. Tasks
Interim and Summative Tests on Illuminate (or other Data System): ELA and Math				Item tests based on state standards given two-three times		
Attitudes/Habits						
CARES: cooperation, assertion, responsibility empathy, and self-control			Morning Meeting observation			

6.DATA ANALYSIS AND REPORTING

New Heights has institutionalized a reporting system that includes a variety of internal measures the organization tracks each year. Internal reading assessment data, writing assessment data, and norm-referenced math data are disaggregated by subgroup, performance band, and grade level.

Teachers, with guidance from the Executive Director, examine and analyze pupil outcomes during professional development days throughout the year. At the beginning of the school year, teachers participate in a professional development which gives them the opportunity to analyze data derived from state-mandated testing from the previous school year and review incoming students' standards-based report cards which data describing student performance, work

habits, and social-emotional skills. Data is gathered as universal screening data at the beginning of the year, the middle of the year, and at the end of the year. Teaching teams examine trends in achievement, including subgroup performance, then make decisions on how to modify, change, or enhance their teaching methodologies and/or the existing educational program. Teachers develop revised vertical articulation documents and curricular plans based on this data, and intervention placement decisions occur as a result.

While the Director of Operations has primary responsibility for overseeing all student achievement data entry, the analysis, reporting and reflection on data is a schoolwide task. All teachers receive intensive training on student achievement data and effective usage of the school's online systems.

New Heights's grade level teaching teams have common planning time that they use to examine formative assessment data (student work) at least twice a month. The Executive Director monitors the progress of all subgroups (particularly language learners and special education students), and patterns of academic achievement that may indicate declining progress or inequitable outcomes among different sub-groups. Any problematic data trends are directly addressed through meetings with individual teachers, and through the examination of policies or curriculum that may be contributing to declining achievement or inequities.

Data review also is used by the Executive Director and the content coaches to assess teacher efficacy in real-time, ensuring that teachers who are struggling to achieve intended outcomes in specific subject areas, or with specific students, receive targeted training, support and professional development to improve their teaching practice.

Both internal data (formative and summative) and standardized test results are utilized to inform teaching and learning. By disaggregating the standardized test data and looking at individual students' results, teachers and staff will be positioned to design units, lessons, and supports to increase student performance. On an annual basis, internal data will be compared to CAASPP to determine efficacy in predicting performance.

New Heights reports data on student progress to parents and to the Board of Directors. The charter school also annually prepares and makes public its Student Accountability Report Card (SARC). Teachers and parents collaboratively review individual student achievement data at least twice a year. At teacher-parent conferences, parents and teachers review student progress, ask questions, provide input, and collaboratively agree on an action plan for students in need. Parents receive test reporting by mail, unless the school distributes the scores individually at the first back to school Family Night. The School Accountability Report Card (SARC) is available on the school website for review. In addition, the school surveys students, parents, teachers and staff members on a variety of topics to provide feedback for planning and policy making.

7.GRADING, PROGRESS REPORTING AND PROMOTION/RETENTION

New Heights provides ongoing information to parents regarding student progress. Four times during the year, parents receive formal feedback regarding students' progress and may receive recommendations regarding additional/supplemental work that will benefit their student. In October and March, parents participate in Conferences with Teachers. Parents are given Progress Reports in late January/early February and June, parents receive full academic reports in writing sent home for their review.

Students are given scores based on the following performance levels:

Performance Levels:

- 4: Exceeds grade level standards (82% mastery)
- 3: Meets Standards. Independently uses and understands concepts and skills (64% master)
- 2: Nearly Met Standards. Developing concepts and skills (49% mastery)
- 1: Not Yet Met Standards. Is at the initial stage of understanding concepts and skills (below 49% mastery).

Student Retention Policy

In the first report card, parents will be notified if their child is at risk of retention. Consistent with California Education Code Section 48070.5(b), our criteria includes students' grades and other indicators of academic achievement. Student results on state standardized tests (CAASPPs, etc.) may be included as one indicator of academic achievement. However, state test results are not the exclusive criterion for promotion or retention.

Kindergarten students shall be admitted to first grade unless the parent or guardian of the child and the school agree that the child may continue in kindergarten for not more than an additional school year. The identification of students who should be retained or who are at risk of being retained is **based primarily on proficiency in reading between the first and second grades and between the second and third grades**. For the remaining grade levels, identification is based on proficiency in reading, English- language arts, and mathematics (Cal. Ed. Code § 48070.5(c)).

New Heights strives to work collaboratively with parents in these difficult decisions.

New Heights has an appeal process for parents who disagree with the school's promotion or retention decision for their student. The process includes the following steps:

1. Parents submit a written appeal within 10 working days after the formal decision is made to retain or promote, detailing why the promotion or retention decision should be overruled.
2. A meeting will be held with the Executive Director, parent, and teacher within 2 weeks of receiving the written appeal. At this meeting, a final decision will be made by the Executive Director.

ELEMENT 4 – GOVERNANCE

“The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.” (Ed. Code § 47605(c)(5)(D).)

GENERAL PROVISIONS

As an independent charter school, 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.

Charter School shall not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Ed. Code § 47604.)

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. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

Charter School shall comply with the Ralph M. Brown Act (“Brown Act”). All meetings of the Charter School’s governing board shall be called, held and conducted in accordance with the terms and provisions of Education Code section 47604.1 and the Brown Act including, but not limited to, those related to meeting access and recording, notice, agenda preparation, posting and reporting.

Charter School shall send to the CSD copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act. Charter School shall also send to the CSD copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on Charter School’s website will satisfy this requirement.

The District reserves the right to appoint a single representative to the Charter School governing board pursuant to Education Code section 47604(c).

LEGAL AND POLICY COMPLIANCE

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action.

Charter School shall comply with all applicable federal and state reporting requirements, including but not limited to the requirements of CBEDS, CALPADS, the Public Schools Accountability Act of 1999, and Education Code section 47604.33.

Charter School shall comply with the Brown Act and the California Public Records Act.

The Charter School shall comply with Government Code Section 1090, et seq., as set forth in Education Code section 47604.1.

Charter School shall comply with the Political Reform Act of 1974. (Gov. Code § 81000 et seq.)

Charter School and all employees and representatives of Charter School, including members of Charter School's governing board, members of Charter School or governing board committees and councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD charter school policy, regarding ethics and conflicts of interest. Charter School shall enter into all transactions and conduct business with all persons and entities at arm's length or, in the case of otherwise permissible related party transactions, in a manner equivalent to arm's length.

Charter School shall notify parents, guardians, and teachers in writing within 72 hours of the issuance of a Notice of Violation, Notice of Intent to Revoke, Final Decision to Revoke, Notice of Non-Renewal, or equivalent notice, by the LAUSD Board of Education.

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 of 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 that 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, 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 establish and provide a uniform complaint procedure in accordance with applicable federal and state laws and regulations, including but not limited to all applicable requirements of *California Code of Regulations*, title 5, section 4600 et seq.

Charter School shall adhere to all applicable federal and state laws and regulations regarding pupil fees, including Education Code sections 49010 - 49013, and extend its uniform complaint procedure to complaints filed pursuant to Education Code section 49013.

Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the Local Control Funding Formula legislation provisions set forth in Education Code section 52075.

RESPONDING TO INQUIRIES

Charter School, including its nonprofit corporation shall promptly respond to all reasonable inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School acknowledges that Charter School, including but not limited to its nonprofit corporation, is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current, complete, and accurate contact information for Charter School, Charter School administrators, and Board members.

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School's operations, or breach of the Charter, is received or discovered by the District, Charter School, including but not limited to its nonprofit corporation, employees, and representatives, shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

Charter School acknowledges and agrees that persons and entities that directly exercise control over the expenditure of Charter School's public funds shall be subject to all necessary and appropriate District charter school oversight.

NOTIFICATION OF THE DISTRICT

Charter School shall notify the Charter Schools Division (CSD) in writing of any citations or notices of workplace hazards, investigations by outside governmental regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g., loss of IRS 501(c)(3) status), or other formal complaints or notices, within one week of receipt of such notices by Charter School. Unless prohibited by law, Charter School shall notify the CSD in writing of any internal investigations within one week of commencing investigation. Charter School shall notify the CSD within 24 hours of any dire emergency or serious threat to the health and safety of students or staff.

STUDENT RECORDS

Upon receipt of a student records request from a receiving school/school district, Charter School shall transfer a copy of the student's complete cumulative record within ten (10) school days in accordance with Education Code section 49068 and all student confidentiality and privacy laws including compliance with the Family Educational Rights and Privacy Act (FERPA). Charter School shall comply with the requirements of California Code of Regulations, title 5, section 3024, regarding the transfer of student special education records. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 15. Charter School shall comply with the requirements of Education Code section 49060 et seq., which include provisions regarding rights to access student records and transfer of records for youth in foster care.

PARENT ENGAGEMENT

Charter School shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of his/her child's admission, continued enrollment, attendance, or participation in the school's educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not, or will not provide volunteer service to Charter School.

The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. (Ed. Code § 47605(n).)

FEDERAL PROGRAM COMPLIANCE

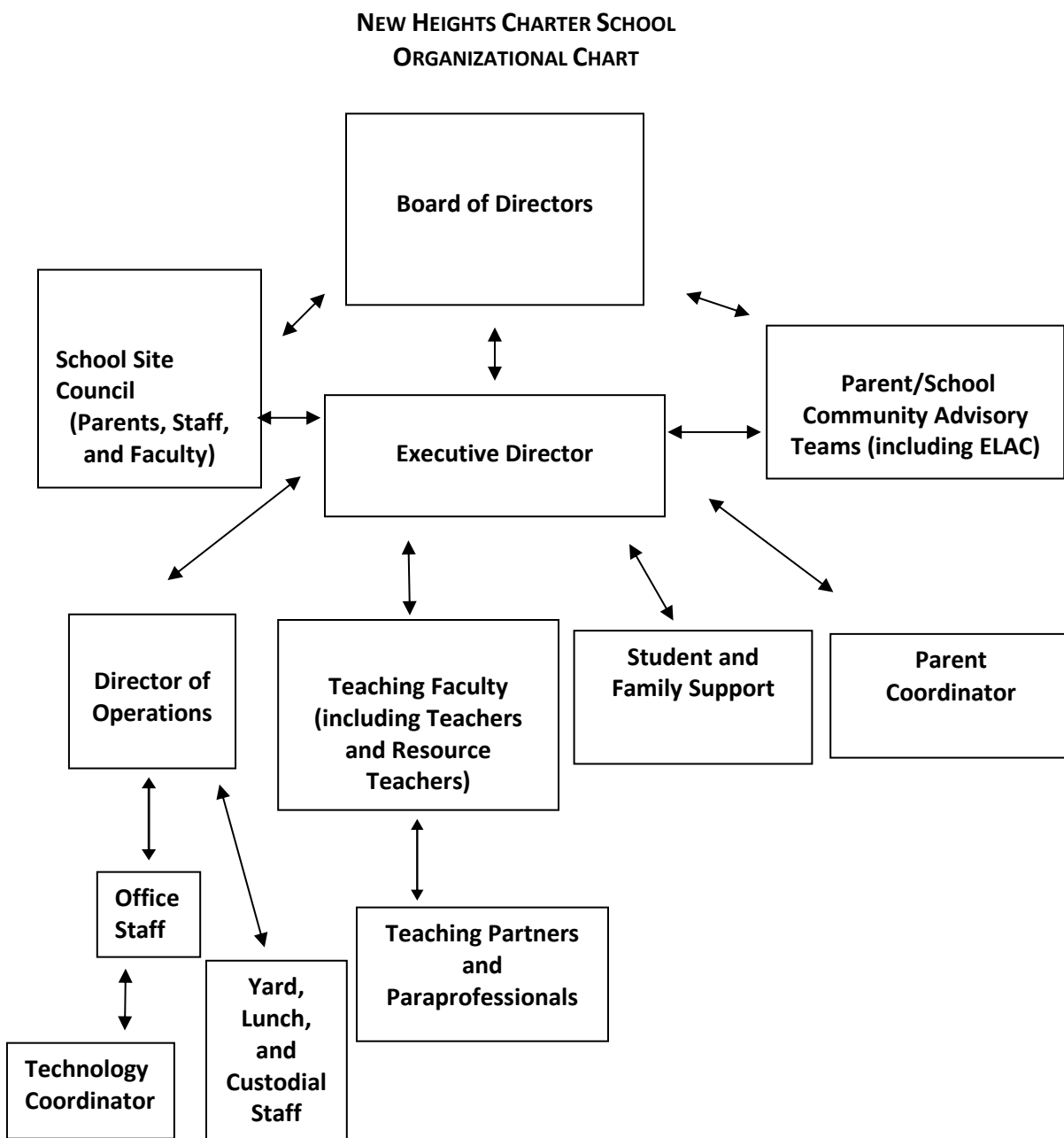
As a recipient of federal funds, Charter School has agreed to meet all applicable programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) and other applicable federal programs. Charter School understands 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 ESEA and other applicable federal programs. Charter School also acknowledges that, as part of its oversight of Charter School, the District may conduct program review for federal as well as state compliance.

1. GOVERNANCE STRUCTURE

New Heights Charter School is a direct-funded, independent charter school that operates as a California Non-Profit Public Benefit Corporation with a 501(c)(3) tax exempt designation from the IRS.

The Charter School operates autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and the Charter School. Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit public benefit corporation or for claims arising from the performance of acts, errors or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law.

New Heights is governed by a Board of Directors (“Board” or “Board of Directors”) , which maintains active and effective governance in accordance with its charter petition and its adopted corporate bylaws that shall be consistent with the terms of this charter.



Major Roles and Responsibilities: Board of Directors

The Board of Directors is fully responsible for the operation and fiscal affairs of the Charter School including but not limited to the following:

- Hire, supervise, evaluate, discipline, and dismiss the Executive Director;
- Approve major contractual agreements in excess of \$10,000 (the Executive Director approves contracts of 10K or less);
- Approve and monitor the implementation of general policies of the Charter School;
- Approve and monitor the Charter School's annual budget and budget revisions;
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the Charter School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the Charter School;
- The Board of Directors of the Charter School will contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;
- Establish operational committees as needed;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning;
- Approve the school calendar and schedule of Board meetings;
- Participate in the dispute resolution procedure and complaint procedures when necessary;
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the District for consideration;
- Approve annual independent fiscal audit and performance report, and
- Take action to accept or reject student expulsion decisions recommended by an impartial Expulsion Review Panel.

Major Roles and Responsibilities: Executive Director

The Executive Director serves as the leader of the Charter School, reporting directly to the Board of Directors. The Executive Director is responsible for the direction of the Charter School and achievement of its mission, including overseeing all staff and instructional and operational functions of the school. See Element 5 for a complete job description.

Governing Board Composition and Member Selection

2. GOVERNING BOARD COMPOSITION

The Charter School is governed by the Board of Directors in accordance with the Board's adopted corporate bylaws, which shall be consistent with the terms of this charter.

The key activities of the Board are fiduciary responsibility and fiscal oversight, health and safety of students and staff, adherence to all laws, regulation, and Education Code provisions governing public charter schools and use of public funds, student outcomes and academic progress, selection/oversight of the Executive Director, adequate and safe facilities, and adherence to mission and charter.

Current Board members include:

Michelle Robson, Board President, spent nearly twenty years as a bond investor for The Capital Group, which is a financial services company with over \$2 trillion in assets under management. In addition to her financial expertise, Michelle brings her experience from serving on other non-profit Boards in Los Angeles. She has served on the boards of Partnership Scholars and the Willows Community School, where she has chaired finance and audit committees as well as served as Board Chair. Michelle dedicates time to helping those in need through Food Forward, One on One Outreach, Meals on Wheels, and Baja Bound.

Erin Keller, MBA, Chief Financial Officer, is currently the Director, Recruitment and Selection at The Broad Center for the Management of School Systems, a nationwide leadership development program. Ms. Keller builds awareness through digital marketing and event outreach efforts. Prior to joining The Board Center, she was a Service Director at City Year LA, where she oversaw the service delivery and quality for 200 school-based corps members. Ms. Keller also taught high school in LAUSD and worked as the AVID Coordinator.

Archana Patel, Board Secretary, is the Senior Director for the Broad Academy program. She has had a long career in K-12 education, having served as a middle school English teacher, a turnaround principal and having worked with school systems leaders for the past six years. Archana is the co-founder of Teach for India and has worked in multiple small and multinational organizations as a consultant, researcher and strategist. She has a double B.A. in English and Philosophy from Boston College, a Masters in the Science of Teaching from Fordham University and a Masters of Public Policy from the University of Southern California.

Tee Hubbard lives in West Hollywood with his wife and their two sons. Tee has worked in the nonprofit sector since graduate school. Tee graduated from the University of Virginia and Tulane Law School and is a former lawyer and a former teacher. Tee has held leadership positions at a local nonprofit in Washington DC, the National Conference for Community and Justice (formerly the National Conference of Christians and Jews) and the National Urban League. Tee brought [DonorsChoose.org](https://www.donorschoose.org) to the west coast and served as its founding Executive Director.

Robert Madok is a transactional real estate lawyer and a partner of Kennerly Lamishaw & Rossi LLP. Mr. Madok's practice focuses on acquisitions, dispositions, leasing, construction, development and partnership/joint venture structuring. Mr. Madok He has served for 16 years as a Board Member, including 3 years as Board Chair, of Catholic Big Brothers Big Sisters, a community-based organization that provides one-on-one mentoring for at-risk youth of all religious and socio-economic backgrounds. He worked with El Hogar de los Ninos, an orphanage in Tijuana, for over 25 years.

3. MEMBER SELECTION

The Board of Directors shall be composed of between three (3) and fifteen (15) members, as set by the Board at its annual meeting. Although not required, the Board will strive to create an odd number of Directors for voting purposes.

Vacancies on the Board may be filled by approval of the Board or, if the number of directors then in office is less than a quorum by the affirmative vote of a majority vote of the directors then in office at a regular or special meeting of the Board, or a sole remaining director. The Board will strive to seat new Directors as promptly as possible upon any vacancy or change in the Board's designated number of directors. Directors will be appointed on the Board based on their experience, qualifications and commitment to the mission and vision of the Charter School. The Board shall strive to include directors who have expertise in education, law, finance, non-profit management, and other areas that will benefit the Charter School.

In accordance with the Political Reform Act, New Heights has adopted a Conflict of Interest Code and submitted it to the Los Angeles County Board of Supervisors.

As determined by the Board of Directors, each director shall hold office for an initial one (1) or two (2) year term and until a successor director has been designated and qualified. Following the expiration of the initial terms, directors may serve additional terms of three (3) years and until a successor director has been designated and qualified.

Governance Procedures and Operations

4. MEETING REQUIREMENTS AND PROCEDURES

Board meetings of the New Heights Charter School Board of Directors will continue to be held no fewer than five meetings each year. All meetings of the Board of Directors and Board committees, if any, shall be called, noticed, and held in compliance with the provisions of the Ralph M. Brown Act ("Brown Act"). All Board and Board committee meetings, if any, shall be held within the boundaries of Los Angeles County, typically at the Charter School site, and a two-way telephonic participation location shall be established at the schoolsite, in compliance with Education Code 47604.1. Agendas, minutes and materials are posted at www.newheightscharter.org. and available in the Board Binder located in the corporate records in the Charter School Office and available for review by the public. Regular meetings are noticed/agendas posted at the school site and teleconference locations no less than 72 hours prior to the meeting, and special meetings are noticed/agendas posted at all school sites and teleconference locations no less than 24 hours prior to the meeting. Committee meetings, if any, are called, noticed, and held in compliance with the provisions of the Ralph M. Brown Act.

As a general matter, the following are the major milestones addressed by the Board each year:

Board Operational Calendar: Key Items

REGULAR BOARD ACTIVITY	APPROXIMATE BOARD MEETING DATE
<ul style="list-style-type: none"> • Conduct Board training • Update Board Policies • Review Unaudited Actuals for LAUSD submission • Review of student assessment data • Review state plans (LCAP, etc.) 	September
<ul style="list-style-type: none"> • First Period Interim Financial Report • Audited Financial Statements submission to LAUSD 	December
<ul style="list-style-type: none"> • Approval of the Consolidated Application • Review of P-1 Attendance Data • Executive Director report on mid-year reflection on student progress 	January
<ul style="list-style-type: none"> • Draft Next Year Budget (including personnel and enrollment decision) • Second Period Interim Financial Report due to LAUSD 	March
<ul style="list-style-type: none"> • Approval of Next Year Budget and Submission to LAUSD • Conduct Board Self-Evaluation • Review of P-2 Attendance data 	Early May
<ul style="list-style-type: none"> • Add/Orient New Board Members • Update Board Policies • Evaluate Executive Director • Approve state plans (LCAP) 	June

Each Board meeting includes a review of past month financial statements, an update from the Executive Director on school operations and progress toward goals, and, as needed, discussion of potential new Board members.

5. DECISION-MAKING PROCEDURES

A majority of the New Heights' directors in office shall constitute a quorum for the transaction of any business except adjournment. All acts or decisions of the Board of Directors will be majority vote based upon the presence of a quorum. Should there be fewer than a majority of the directors present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy. Every action taken or decision made by a majority of the directors present at a duly held meeting at which a quorum is present shall be an act of the New Heights Board of Directors. Members of the Board of Directors may participate via conference telephone, video

screen communication, or other communications equipment consistent with the Brown Act and Bylaws.

6. STAKEHOLDER INVOLVEMENT

Stakeholders are consulted and engaged in the ongoing process of school improvement, including needs assessments, strategic analysis, planning, and implementation. Parents, teachers, staff, administrators, and students are an integral part of the Charter School's Local Control Accountability Planning process (and Learning Continuity and Attendance Plan for 2020). Parents are involved through the following means: parent surveys, parent meetings that focus on gathering parent input, sharing school data, and gathering feedback on LCAP plan implementation, English Language Learner Advisory Team meetings, and school site council meetings. Teachers, staff, and administrators are engaged in the LCAP process through regular staff meetings in which employees review and analyze data, provide input to the school's plan, and evaluate implementation as well as staff surveys and staff evaluation of LCAP program elements. The process described above is the same used to help the school plan, implement and evaluate the Single School Plan which includes all facets of the education program.

Parent involvement is valued at New Heights as a way to increase understanding of who the students are, connect student's learning to home culture, and provide an authentic audience for student's work. Parents provide teachers and staff with valuable information about students that helps the school to better meet student needs.

Parents of New Heights students are encouraged and expected to participate in the educational process of their child(ren). Parents are engaged in enhancing their child's development through school wide community-building events, classroom activities such as Publishing Celebrations, as well as support for at-home activities such as independent reading and homework completion.

Parents have the opportunity to serve and contribute to the school community in various ways, such as the School Site Council, ELL Advisory (ELAC), Beautification Team, Wellness Team and other parent committees that form as needed.

In addition to formal roles in Charter School committees, parents provide input to improve the school and offer feedback for the school staff during the school year. The Charter School hosts bi-monthly Parent Tea's (one on each campus). These regular meetings are forums for parents to hear the latest updates on school progress, discuss the LCAP, the Single School District Plan, and the Title I Parent Involvement Policy, engage in learning workshops, ask questions, share concerns, and provide input of school staff. All meetings are translated in Spanish to ensure access for all families.

At New Heights there is regular, ongoing communication between home and the school. Staff uses the following vehicles for communication: RoboTexts for reminders/short messages, Website postings for educational materials, policy documents, classroom resources, student

work. To help keep parents stay informed of all meetings and events, the Charter School creates and shares a monthly calendar (in print in English and Spanish and posted on the website), in addition to the yearly calendar shared with parents at the beginning of each school year. News of school events and highlights of school activities are featured in the school's Update Newsletter, on the school website, on flyers sent home with students, and on posters on both school campuses. The newsletter may include a section to acknowledge parent contributions or parent education feature articles. Parent communication includes online meetings when necessary. Translation is provided and written materials shared online are also translated.

Over the years, New Heights has offered the following education programs for parents/guardians and participation is encouraged through flyers sent home, posters, and calls:

- Workshop Series on Healthy Eating and Nutrition
- Workshop Series on Family Health and Disease Prevention
- Workshop Series on learning how to use a computer and access online educational programs
- Workshop Series on Healthy Lifestyle and Exercise
- English Instruction for Parents
- Workshops on Common Core Standards
- Workshops on social / emotional support for teen-agers and pre-teens

ELEMENT 5 – EMPLOYEE QUALIFICATIONS

“The qualifications to be met by individuals to be employed by the charter school.” (Ed. Code § 47605(c)(5)(E).)

EQUAL EMPLOYMENT OPPORTUNITY

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, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, 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 but not limited to recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

ESEA/ESSA AND CREDENTIALING REQUIREMENTS

Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers are appropriately assigned and fully credentialed in accordance with applicable state requirements for certificated employment, including but not limited to the provisions of Education Code section 47605(l). Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

Employee Positions and Qualifications

1. LIST OF POSITIONS

Executive Director	Administration
Director of Operations	Administration
Teachers	Instructional Staff
Resource Teachers	Instructional Staff
Teaching Partners	Instructional Staff
Paraprofessionals	Instructional Staff
Student and Family Support	Administration
Parent Coordinator	Administration
Office Staff	Administration
Technology Coordinator	Administration
Yard and Lunch Staff	Administration
Custodian	Administration

2. DESCRIPTION OF POSITIONS

Executive Director

As an employee in our Charter School, the Executive Director is expected to be an active learner, an effective communicator, a problem-solver, and a team player contributing to the mission of the school.

The Executive Director has the following responsibilities:

- **Leadership:** Oversee the implementation of the educational vision of the Charter School and long-range planning.
- **Personnel:** Responsible for recruiting, hiring, evaluating, disciplining and (as needed) firing all other employees according to the mission, philosophy, and obligations of the school as spelled out in the charter.
- **Administrative Oversight.** Responsible for ensuring Charter School's compliance with all state and federal charter regulations and other applicable laws and regulations.
- **Governance:** Provide oversight of school committees, liaison with Board of Directors.
- **Policy:** Contribute to policy development and lead implementation related to all school procedures.
- **Teacher and staff professional development.** Lead schoolwide professional development efforts, working to identify and support expert coaches in multiple content areas to provide high quality training, coaching, and support for all teachers and staff.
- **Finance.** Prepare annual budgets for presentation to the Board working with the school's back office support team. Establish, review, and enforce financial and accounting policy. Develop and monitor budgets to ensure that all expenditure of funds meet all state, federal, local, and granting guidelines. Provide information required for the annual audit and ensure compliance with all reporting entities, including an array of foundation and government funders.
- **Outreach and enrollment** of students and families.
- Create a **school culture** that supports learning.
- Support **parent engagement** and develop **community partnerships**.
- **Fundraising:** Writing grants, facilitating fundraising, and monitoring grants.
- Maintain regular communications with the Charter School's financial back office support organization.
- **Report** to the Board of Directors on Charter School progress in educational achievement.
- **Facilitate communication** between all stakeholders.
- **Public Relations:** California Department of Education, LAUSD, Board of Directors, Parents, and Community.
- **Facilities oversight.**
- **Management.** Manage and oversee all day-to-day operations of the school. Supervise all administrative and education personnel. Increase effectiveness of staff by recognizing opportunities for development and proactively creating new systems and processes.

Qualifications: Minimum: BA. Master's Degree preferred in related field. Significant experience

in school reform, and/or school improvement. Experience with grant writing, managing people, designing professional development, and initiating and managing projects.

Director of Operations

The Director of Operations is expected to be an active learner, an effective communicator, a problem-solver, and a team player contributing to the mission of the school. The Director of Operations will contribute in the following ways:

OFFICE SYSTEMS

- Keep track of all state and federal reporting deadlines
- Create and maintain systems for: Teacher Credentialing Compliance, Insurance Information, and Files
- Complete district surveys and state/federal reports as needed
- Request and maintain cumulative records
- Manage student data on student information systems software
- Work with ExEd, the school's back office support provider for such tasks as accounting, compliance, and CALPADS) to provide financial information and other school data as needed
- Insurance Certificates
- Accident/Incident Reporting (Worker Comp.)
- Payroll Reporting (Support Staff, ASES, Archdiocesan, and Work Study)

COMMUNICATION

- Internal Communications: Documentation of all meetings
- External Communications: Working in support of families' needs

COLLECTION / MAINTENANCE OF DATA FOR CONTINUOUS IMPROVEMENT

- Distribution and analysis of the Charter School's community surveys
- Oversee all student achievement data systems
- Manage student data on student information systems software, including the Charter School's SIS system and CALPADS.

STAFF SUPPORT

- Coordinate testing program: create schedule, distribute and submit materials
- Support Executive Director as needed with written communication, mailings, staff communication, community outreach, and district/state reporting.
- Compliance posting for employees.
- Help to coordinate work with school safety.
- Notify co-location campus of facility repairs or maintenance issues.
- Oversee Lower Campus office staff to ensure timely repairs and cleaning of the campus.

Qualifications: Minimum is a High School Diploma. Two-four years of college preferred. Experience working in an office setting. Computer knowledge and expertise in Word,

PowerPoint, and Excel. Ability to learn new data systems as needed. Bilingual Spanish preferred.

Classroom Teacher

New Heights Charter School teachers are expected to take-on the following roles:

Active Learner

- Engage in school planning and professional development activities before the school year and during the school year.
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the standards.
- Design, plan, and implement effective units of study.

Effective Communicator/Community-Builder/Collaborator

- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Willingness to build a caring learning community that supports pro-social behaviors in students.
- Ability to work collaboratively with other teachers and staff to improve teaching practice on an ongoing basis.

Assessor of Student Understanding

- Assess student needs, explore students' interests, and uncover misunderstanding.
- Provide multiple and varied opportunities for students to demonstrate their learning.
- Implement formative, summative, and performance-based assessments.

Contributor to Schoolwide Mission

- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending weekly meetings.
- Participate in school wide community-building activities: School Community Events and Parent/Student Activities.

Qualifications: At a minimum, teachers shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teachers' certificated assignment. Preferred: BCLAD, proficiency as a writer, and strong communication skills.

Resource Teachers for Students with Special Needs

Resource Teachers provide instructional services for pupils whose needs are identified in a written Individualized Education Plan developed by the Charter School and who are assigned to regular classroom teachers for a majority of the school day.

Co-Teacher with General Education

- Work collaboratively with all stakeholders to create learning environments that are challenging and supportive (Tier I support).
- Prepare/implement lessons that lead to student progress along a learning progression that leads to mastery of curriculum content for students who are struggling (Tier II support)
- Provide leadership to the Response to Intervention team: create tools to document student progress, provide consistent follow-up for struggling students through hosting RTI meetings in a timely manner, and engage in regular communication with teachers (Tier II support).
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the common core standards.
- Work collaboratively with general education teachers to structure the most productive support system for students with IEP's, inside or outside of the classroom.

Lead Facilitator for Students Entering and In the Individualized Education Planning Process

- Identify students in need of additional testing; administer and interpret tests (Tier III).
- Work collaboratively to develop and implement IEP goals (Tier III).
- Regularly assess, analyze, and document student progress toward IEP and school goals, including uncover misunderstandings.
- Explore students' interests, and build relationships with students.
- Provide opportunities for students to demonstrate their learning through multiple forms of assessment.
- Engage daily in formative assessment practices, documenting students' progress along a learning progression.
- Work collaboratively with teachers to document students' present levels of performance.
- Maintain daily service records on Welligent database system and follow all applicable federal, state, and local guidelines.
- Keep abreast of changing policies and guidelines regarding Special Education.
- Manage relationships and schedule services of outside contractors for psychological testing and student health assessments.
- Prepare mandated reports and documents required by the district/state.
- Effectively utilize school's administrative team for support with identifying newly enrolled students in the Welligent system, gathering IEP documents from newly enrolled students, calling parents for initial 30-day IEP meetings, scheduling parents and the IEP team for annual and three-year IEP meetings.

Parent Liaison

- Develop positive and supportive relationships with parents/guardians.
- Participate in teacher meetings with parents as needed.
- Communicate frequently with students, students' families, colleagues and other stakeholders to ensure parents' concerns are addressed.

Full Participant in the New Heights Professional Learning Community

- Participate regularly in professional development and planning opportunities with teachers.
- Collaborate with teachers, generate student data, analyze student data, plan learning based on data share documentation on student growth.
- Co-plan lessons and Co-Teach with general education teachers.
- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending weekly meetings.
- Participate in school wide community-building activities.
- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Willingness to build a caring learning community that supports pro-social behaviors in students, rather than trying to control students' behavior through compliance and control.
- Maintain integrity in keeping in compliance with all applicable rules and regulations governing the education of students with disabilities.

Qualifications: Teachers shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teachers' certificated assignment. Minimum: BA or BS and Special Education Credential. MA preferred.

Teaching Partner

Teaching Partners assist teachers at one grade level and participate fully in all of New Heights Charter School's professional development activities. The job is designed for someone who wants to develop their skills in a collaborative community of learners. These individuals learn how to plan, teach, assess, and differentiate instruction in partnership with a talented, progressive, and caring group of educators. Teaching Partners are asked to take-on the following roles:

Active Learner

- Engage in school planning and professional development activities before the school year and during the school year.
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the Common Core standards.
- Co-Design, co-plan, and co-implement effective lessons in content areas under the supervision of the teacher of record.

Effective Communicator/Community-Builder/Collaborator

- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Partner with classroom teacher to build a caring learning community that supports pro-social behaviors in students, rather than trying to control students' behavior through compliance and control. Co-plan and co-implement Responsive Classroom's First Six Weeks of School activities focused on setting classroom rules, practicing interactive modelling, Morning Meetings, logical consequences, and collaborative problem-solving.
- Work collaboratively with teachers and staff to improve teaching practice on an ongoing basis.
- Work collaboratively to support the classroom by gathering materials, making copies of handouts for students, posting student work in the classroom, organizing the classroom library, etc.

Assessor of Student Understanding

- Co-assess student needs, explore students' interests, and uncover misunderstanding.
- Work with the classroom teacher to provide opportunities for students to demonstrate their learning.

Contributor to Schoolwide Mission

- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending weekly meetings.
- Participate in school wide community-building activities (as schedule permits): School Community Events and Parent/Student Activities.

Qualifications: Minimum: Two years of college or equivalent subject matter competence. BA/BS preferred as well as experience working with students or teachers in support of learning.

Paraprofessional

Paraprofessionals collaborate with teachers in the classroom to support students with disabilities and other students with needs. They participate fully in all of New Heights Charter School's professional development activities. The job is designed for someone who wants to develop their skills in a collaborative community of learners. These individuals learn how to plan, teach, assess, and differentiate instruction in partnership with a talented, progressive, and caring group of educators. Paraprofessionals are asked to take-on the following roles:

Active Learner

- Engage in school planning and professional development activities before the school year and during the school year.
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the Common Core standards.
- Co-Design, co-plan, and co-implement effective lessons in content areas as needed.

Effective Communicator/Community-Builder/Collaborator

- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Partner with classroom teacher to build a caring learning community that supports pro-social behaviors in students, rather than trying to control students' behavior through compliance and control.
- Work collaboratively with teachers and staff to improve teaching practice on an ongoing basis.
- Work collaboratively to support the classroom by gathering materials, making copies of handouts for students, posting student work in the classroom, organizing the classroom library, etc.

Assessor of Student Understanding

- Co-assess student needs, explore students' interests, and uncover misunderstanding.
- Work with the classroom teacher to provide opportunities for students to demonstrate their learning.

Contributor to Schoolwide Mission

- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending weekly meetings.
- Participate in school wide community-building activities (as schedule permits): School Community Events and Parent/Student Activities.
- Maintain integrity in keeping in compliance with all applicable rules and regulations governing the education of students with disabilities.

Qualifications: Minimum: Two years of college or equivalent subject matter competence. BA/BS preferred as well as experience working with students or teachers in support of learning.

Student and Family Support

Student and Family Support works with the Charter School's Executive Director and teaching teams to support social/emotional development for all students and takes on the following roles:

Active Learner and Facilitator

- Engage in training and research to learn how to support students in our school.
- Develop deep understanding of the Charter School's approach to social, emotional, and academic development.
- Work one-on-one with students with social/emotional needs, work with small groups, and support teachers in whole class settings with behavioral issues.
- Work with teachers to develop behavior plans/modifications for students in need.

Effective Communicator/Community-Builder/Collaborator

- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Help students and staff to problem solve and engage in conflict resolution.
- Willingness to help build a *respectful learning community* that supports pro-social behaviors in students.

- Ability to work collaboratively with teachers and staff to improve learning outcomes for students.
- Help refer students/families for community services as needed.

Data Gatherer

- Work with teachers to assess student needs, explore students' interests, and uncover misunderstandings in the pursuit of emotional health.
- Keep track of data on student behavior: behavior referral forms, behavior plans, follow-up meetings for behavior plans, and end-year planning for the next year.
- Monitor student's attendance, send letters home per school policy, and hold meetings with parents to problem solve.

Contributor to Schoolwide Mission

- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending meetings.
- Participate in school wide community-building activities as needed.

Qualifications: Minimum two years of college. Preferred: BA and Masters in related field as well as experience supporting students to develop social-emotional skills. Experience in conflict-resolution.

Office Staff

Office Staff are expected to be an active learners, effective communicators, problem-solvers, and team players contributing to the mission of the school.

Student Attendance

- Track attendance on the Charter School's database and create weekly lists of students with multiple attendance issues.
- Contact students' parents/guardians daily to report student absences through our robocall system.
- Create monthly attendance reports, send to back office organization, verify that attendance reports are correct and send to the CA Department of Education

Student Support

- Help students in need of minor and major health-related assistance
- Oversee student meal program including daily communication with vendor, ensure students with food allergies are accommodated, ensure food is brought in a timely manner, track data regarding food consumption, help ensure children eat healthy foods, and help maintain records through use of lunch scanner.
- Support students' social and emotional needs as needed.

Student Admissions

- Assist in new student recruitment and keep track of enrollment wait list

- Create and maintain paperwork for student enrollment, send out information/application packages, send out welcome packages to new families, and coordinate and co-facilitate parent orientation
- Maintain all student and parent files including contact updates and student transfers and maintain parent and student database

Parent/Community Support

- Assist with parent meetings, Family Nights, and other special events, including creating flyers for meetings/events and managing sign in sheets
- Contact former schools to update student files and get transcripts
- Provide parents with information on volunteer opportunities and assist with Saturday family days.
- Send home correspondence, in multiple languages, to ensure parents are informed about school events and news

Staff Support

- Support staff and teachers with parent communications, including report cards and progress reports to parents
- Make copies for staff and teachers as needed
- Order classroom supplies for teachers and office supplies for staff
- Set-up equipment as needed for support of staff, students and parents
- Distribute mail
- Arrange for and orient substitutes and support school visitors
- Maintain records regarding staff sick time
- Payroll Reporting

Office/Technical Support

- Answer phones and operate automatic phone system
- Maintain office equipment and call for repairs as needed
- Maintain postage system and phone systems
- Use the school's SIS system and/or other computer databases to maintain student, parent, and teacher information
- Assist Technical Coordinator as needed
- Maintain Inventory
- Weekly morning mail pick up at local elementary school
- Work with Operations Director to:
 - Implement safety plan and regular drills
 - Run reports on the academic and attendance database
 - Create invoices, track purchases, and distribute materials

Qualifications: Minimum is a High School Diploma. Preferred: Two-four years of college, experience working in an office setting, computer knowledge and expertise in Word, PowerPoint, and Excel, ability to learn new data systems as needed, and bilingual in Spanish.

Parent Coordinator

The Parent Coordinator directs the school's efforts to build parent involvement, design parent education, and support parents' needs.

Active Learner and Facilitator

- Engage in training to learn how to support students and parents in our school.
- Develop deep understanding of the Charter School's approach to social, emotional, and academic development.
- Develop full understanding of afterschool funding requirements.

Effective Communicator/Community-Builder/Collaborator

- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Help students and staff to problem solve and engage in conflict resolution.
- Willingness to help build a respectful learning community that supports pro-social behaviors in students.
- Ability to work collaboratively with other teachers and staff to improve learning outcomes for students.
- Help refer students/families for community services as needed.

Data Gatherer

- Gather data on students' interests to ensure their engagement in the afterschool program.
- Keep track of data on student behavior: behavior referral forms, behavior plans, follow-up meetings for behavior plans, and end-year planning for the next year.
- Monitor student's attendance, following all afterschool funding guidelines.

Contributor to Schoolwide Mission

- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending meetings.
- Lead a team effort to design, facilitate, and evaluate school wide community-building activities, parent education workshops, Parent Tea's (bi-monthly), parent meetings, special events, and Family Nights.

Qualifications: Minimum is two years of college. Preferred: BA in related field, experience supporting students and their families, knowledge of the community, computer knowledge and expertise in Word, PowerPoint, and Excel, and ability to learn new data systems as needed.

Technology Coordinator

The Technology Coordinator is responsible for assisting teachers in integrating technology into teaching and learning to improve student achievement as well as supporting staff to use technology for the benefit of the Charter School's operations.

DUTIES AND RESPONSIBILITIES

- Coordinates and/or provides training to all Charter School staff in network and software use. Coordinates activities of outside vendors, consultants and trainers.
- Facilitates the use of existing and emerging technology by staff and students.
- Coordinates the maintenance, operation and management of existing school networks.
- Assists with the planning, design and installation of future network expansions as growth demands.
- Performs all functions and procedures necessary to install and maintain school network hardware and software.
- Configures local workstations as needed.
- Develops and maintains network procedures to ensure regular system backups on a timely basis.
- Maintains software library and necessary documentation to include, but not to be limited to, software license management, network wiring, hardware and software.
- Maintains inventory of hardware and related peripherals.
- Follows troubleshooting procedures for hardware and software. Maintains hardware and arranges for timely repair. Maintains repair history and file server performance statistics.
- Establishes and/or maintains network security.

Qualifications: Minimum: High School Diploma. Preferred: Two-four years of college, experience working in an office or school setting, computer knowledge and expertise in Word, PowerPoint, and Excel, ability to learn new data systems as needed, considerable working knowledge of computer operating systems used in the Charter School, and experience with local area networks and training in basic server administration.

Yard/Lunch Monitor

Yard and lunch monitors are responsible to maintaining student health and safety during their time in the yard and at lunch. Monitors are also responsible for maintaining a caring and responsive atmosphere during students' more unstructured and social times of the day. (Note: During school closure due to health reasons, these staff members support food and materials distribution, act as advisors to students conducting welfare checks, and supporting teaching teams with online instruction.)

Student Support

- Supports students' social/emotional development by engaging in facilitating play, facilitating friendships, and conflict resolution.
- Help students in need of minor and major health-related assistance.
- Help monitor students during breakfast and lunch to ensure students are abiding by school rules for healthy eating and behavior.
- Ensure students with food allergies are accommodated.

Data Systems

- Help maintain records through use of scanner to track students when they eat a school meal, abiding by all rules regarding the Nutrition Program.

Collaboration with Teachers and other Staff

- Help keep to schedules to ensure smooth transition of students.
- Share information with teachers regarding student behavior.
- Work with Student and Family Support Team when encountering challenges with students' behavior.
- Complete all paperwork related to documenting student behavior as needed.

Qualifications: Minimum: High School Degree. Preferred: Two years of college, experience supporting students and their families, knowledge of the community, computer knowledge and expertise in email and Word and ability to learn new data systems as needed.

ELEMENT 6 – HEALTH AND SAFETY PROCEDURES

“The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish it with a criminal record summary as described in Section 44237

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.” (Ed. Code § 47605(c)(5)(F).)

HEALTH, SAFETY AND EMERGENCY PREPAREDNESS PLAN

Charter School shall comply with all applicable federal, state, and local requirements related to school and student health, safety, and emergency preparedness.

If Charter School occupies and/or operates on a District facility, Charter School shall comply with all District health, safety, and emergency procedures and requirements applicable to District facilities and related operations, and shall be subject to inspection by the District’s Facilities Services Division, Office of Environmental Health and Safety, and other District offices in the same manner as other LAUSD campuses.

Charter School shall adopt, implement, and maintain at all times a current, comprehensive, and site-specific Health, Safety, and Emergency Preparedness Plan (“Plan”), which must include but is not limited to provisions for building and site emergency evacuation, the acquisition and maintenance of adequate onsite emergency supplies. The Plan must include Charter School’s requirements and procedures for protecting student health and safety during off-campus school-sponsored activities, including but not limited to field trips and transportation. Charter School shall ensure that all staff members receive annual training on Charter School’s health, safety, and emergency procedures, including but not limited to training on bloodborne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff.

Charter School shall periodically review, and update and/or modify as necessary, its Health, Safety, and Emergency Preparedness Plan, and keep it readily available for on-site use. Charter School shall provide a copy of the Health, Safety, and Emergency Preparedness Plan for review upon CSD request.

Comprehensive School Safety Plan

The Charter School shall adopt a Comprehensive School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include, but not be limited to: (1) an assessment of the current status of school crime committed on Charter School facilities and at Charter School-related functions; and (2) identifying appropriate strategies and programs that will provide or

maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, which shall include the development of all of the following pursuant to Education Code section 32282(a)(2)(A)-(J):

- Child abuse reporting procedures
- Routine and emergency disaster procedures
- Policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- Procedures to notify teachers of dangerous students pursuant to Education Code section 49079
- A discrimination and harassment policy consistent with Education Code section 200
- Provisions of any schoolwide dress code that prohibits students from wearing "gang-related apparel" if applicable
- Procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- A safe and orderly environment conducive to learning at the Charter School
- The rules and procedures on Charter School discipline
- Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on Charter School campus(es) and at school-related functions.

CHILD ABUSE AND NEGLECT MANDATED REPORTER TRAINING

Charter School shall provide all employees, and other persons working on behalf of Charter School who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person's employment if employed after the beginning of the school year, in accordance with the requirements of Education Code section 44691.

Medication in School

The Charter School will adhere to Education Code section 49423 regarding administration of medication in school. Charter School shall stock and maintain the required number and type of emergency epinephrine auto-injectors onsite and provide training to employee volunteers in the storage and use of the epinephrine auto-injector as required by Education Code section 49414 and section 4119.2 of the Business and Professions Code, as they may be amended from time to time.

ATHLETIC PROGRAMS

Charter School shall comply with the requirements of Education Code section 49475, with respect to any athletic program (as defined in Education Code section 49475) offered by or on behalf of Charter School.

If the Charter School offers an interscholastic athletic program, it shall develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire and regularly test and maintain at least one automated external defibrillator (AED) for the Charter School, and make the AED available at on-campus athletic activities or events according to the requirements of Education Code sections 35179.4 and 35179.6.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Charter School, including its employees, officers, and representatives, shall comply with the Family Educational Rights and Privacy Act (FERPA) and Education Code section 49060 et seq. at all times.

CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING

Charter School shall comply with all requirements of Education Code sections 44237 and 45125.1. Charter School shall designate and maintain at all times at least one Custodian of Records duly authorized by the California Department of Justice.

Charter School shall maintain on file and available for inspection evidence that (1) Charter School has performed criminal background checks and cleared for employment all employees prior to employment; (2) Charter School has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of schoolsite services and/or any contact with students, and has requested subsequent arrest notification service; and (3) Charter School has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. Charter School shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, Charter School shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records. Charter School, including its administrators and officers, shall comply with the requirements of Education Code section 44030.5.

All teachers in Charter School shall obtain a certificate of clearance and satisfy the requirements for professional fitness pursuant to Education Code sections 44339, 44340, and 44341.

IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS

Charter School shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, or otherwise meet the requirements of Education Code section 49406. Charter School shall maintain TB clearance records and certificates on file.

Charter School shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis pursuant to Education Code section 49450 et seq, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain student immunization, health examination, and health screening records on file.

SAFE PLACE TO LEARN ACT

Charter School shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code section 234 et seq.

SUICIDE PREVENTION POLICY

If Charter School serves students in any grades Transitional Kindergarten/Kindergarten through 12, Charter School shall comply with the requirements of AB 2246 (2016) and AB 1767, codified in Education Code section 215, including but not limited to the requirement that the school's pupil suicide prevention policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and adopted at a regular public hearing. The Charter School shall review, at a minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

HUMAN TRAFFICKING PREVENTION RESOURCES

If the Charter School serves students in any grades 6-12, it shall identify and implement the most appropriate methods of informing parents/guardians of human trafficking prevention resources as required by Education Code section 49381.

FEMININE HYGIENE PRODUCTS

If the Charter School maintains any combination of classes in grades 6-12 that meets the 40% pupil poverty threshold required to operate a schoolwide program pursuant to Section 6314(a)(1)(A) of Title 20 of the United States Code, then it shall stock at least 50% of its restrooms with feminine hygiene products at all times, and shall not charge students for these products, as required by Education Code section 35292.6.

NUTRITIONALLY ADEQUATE FREE OR REDUCED-PRICE MEAL

The Charter School shall provide each needy student, as defined in Education Code section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code section 49553(a), during each school day.

CALIFORNIA HEALTHY YOUTH ACT

The Charter School shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-12, at least once in middle school and at least once in high school, pursuant to the California Healthy Youth Act. (Ed. Code § 51930, et seq.)

BULLYING PREVENTION

Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying, and shall annually make available the online training module developed by the California Department of Education pursuant to Education Code section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with pupils.

LGBTQ RESOURCES TRAINING

Charter School recognizes that it is encouraged to use schoolsite and community resources developed by the State Department of Education for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils to provide training at least once every 2 years to teachers and other certificated employees at each Charter School schoolsite that serves pupils in grades 7 to 12, to increase support for LGBTQ pupils and thereby improve overall school climate. (Ed. Code § 218.)

TRANSPORTATION SAFETY PLAN

The Charter School shall develop and maintain a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, the Charter School shall ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Ed. Code § 39831.3; Veh. Code § 28160.)

New Heights is proud of our strong and historically successful approach to health and wellness. Utilizing the research-based SPARK program, students engage in daily physical activity aimed at increasing students’ endurance, flexibility, strength, and teamwork. From grades TK-8, this program inspires students to pursue an active lifestyle, build teamwork, and develop athletic skills.

New Heights has developed strong partnerships with community-based athletic facilities/organizations like the Expo Center and the Crenshaw YMCA. Through these

partnerships, New Heights' students are encouraged to participate in community sports alongside their classmates, under the direction of the community agency.

New Heights is located in a neighborhood with high obesity rates, so students at New Heights are encouraged to eat healthfully and exercise regularly. Faculty and staff help children (and parents) understand and develop knowledge and skills in healthy eating to promote physical and emotional well-being. When students are physically and mentally healthy, they learn better and interact appropriately in the classroom. All Charter School celebrations include only healthy food (no sugary treats), and there are no unhealthy beverages or snacks served or sold at school. In addition, New Heights has partnered with the Kitchen Garden to develop a vegetable and herb garden on our lower campus.

ELEMENT 7 – MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE

“The means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(c)(5)(G).)

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 the District’s Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

Charter School has set forth below its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 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 lists specific dates and locations of recruitment activities that Charter School will undertake in order 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 throughout the term of the Charter to achieve the District’s goal. 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. The District may receive the Targeted Instructional Improvement Block Grant (TIIBG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIBG funding, where available, and cannot guarantee the availability of this funding.

1. COURT-ORDERED INTEGRATION

New Heights current demographics – 97% FRPL, 21% African American, 79% Hispanic/Latino, 33% English Language Learners, 26% RFEP students, and 14% students with disabilities – demonstrate our commitment to serving students of color. As a school that is well-known and well-regarded in the community, our outreach relies primarily on the families we serve as school ambassadors. We also provide detailed information about our school on our website.

In addition, we conduct active recruiting ongoing from January – April of students in the following ways:

1. Information Sessions held at local Head Start Centers close to and west of our campus.
2. Radio ads placed on a local radio station popular with our African American community.

3. Placement of flyers and staff at local preschools and Headstart Centers in the area including, those run by the Children's Institute, Pace Headstart, USC, Urban League, (and the Mexican American Opportunity Foundation) to share brochures with parents.
4. Outreach is also conducted by directing parents to the Charter School's website through the school's banners or materials. Materials are provided in Spanish (or other languages as needed.)
5. Flyers sent home with current parents and students in both English and Spanish.

2. ACHIEVE OR MAINTAIN BALANCE RACIAL AND ETHNIC BALANCE GOALS

Our school was opened in 2006 with 80% African American students and 20% Latino students. As the school grew and opened an upper grade campus a few blocks east of the original campus, the student population started to shift to increasing numbers of Latino students and ELL students. Two years ago, we started a campaign to increase the percentage of African American students in our classrooms through our outreach efforts in our TK and Kinder classes primarily. This effort has paid off as our current lower grade classes have higher percentages of African American students than our last years of graduating classes.

3. PLAN TO MAINTAIN PERCENTAGES OF SPECIAL NEEDS STUDENTS COMPARABLE WITH LAUSD

Over the past several years, New Heights has maintained percentages of special education students comparable with LAUSD. In 2018, the Charter School's special Ed percentages, as reported on CALPADS, was 12.3%. While we run a lottery system and can't hand pick our students, we do make sure that parents of students with special needs feel welcomed and supported if they come to the campus to learn about our programs. Our enrollment brochure and website advertise our openness and include information about our special education supports.

Oftentimes, parents will let us know that they heard about our school from other parents who were satisfied with our level of support for students with special needs. In addition, parents of students with special needs students stay at New Heights because they receive strong support and a collaborative team spirit.

4. PLAN TO MAINTAIN PERCENTAGES OF ENGLISH LEARNERS AND REDESIGNATED PUPILS

New Heights has maintained percentages of English Learners (EL) and Redesignated Pupils comparable with LAUSD. According to Dataquest, New Heights Charter School has 32.9% EL students, compared to LAUSD's 20%. New Heights has 25.6% Reclassified Fluent English Proficient compared to 28.3% at LAUSD. While we run a lottery system and can't hand pick our students, we do make sure that parents of EL students feel welcomed and supported if they come to the campus to learn about our programs. Our materials are translated into Spanish and

our office team is Spanish Bilingual to allow parents to easily communicate their interests and needs.

ELEMENT 8 – ADMISSION REQUIREMENTS

“Admission policies and procedures, consistent with subdivision (e).” (Ed. Code § 47605(c)(5)(H).)

DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES

Charter School shall maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter. These records shall be made available to the District upon request.

HOMELESS AND FOSTER YOUTH

Charter School shall adhere to the provisions of the federal 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. Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Charter School will enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment.

Charter School shall comply with all applicable federal and state laws regarding homeless and foster youth, including but not limited to the provisions of AB 379 (2015) and Chapter 5.5 (commencing with Section 48850) of Part 27 of Division 4 of Title 2 of the Education Code, as amended from time to time. Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the applicable provisions of AB 379.

NON-DISCRIMINATION

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, including immigration status, 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. 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.

Charter School shall not request or require submission of a student’s IEP, Section 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.

Charter School shall not discourage a student from enrolling or seeking to enroll in the Charter School, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The Charter School shall not request or require a student's records to be submitted before enrollment. The Charter School shall post on its web site the California Department of Education notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquiries about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Ed. Code §§ 47605, 47605.6)

Charter School shall adopt policy that is consistent with the model policy developed by the California Attorney General addressing the Charter School's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code section 234.7.

PREGNANT AND PARENTING STUDENT ACCOMMODATIONS

Charter School shall provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The Charter School shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Ed. Code §§ 222, 222.5, 46015.)

SEXUAL HARASSMENT POLICY NOTICE

The Charter School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at each schoolsite and in public areas at each schoolsite.

If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level. If Charter School operates multiple school sites, this information shall be disaggregated by school site. (Ed. Code § 221.9.)

Admission Requirements

1. ADMISSION POLICIES AND PROCEDURES

New Heights is an open enrollment, tuition-free public school with no specific requirements for admission. Enrollment to the Charter School shall be open to any resident of the State of California.

2. STUDENT RECRUITMENT

New Heights will recruit and reach out to students with a history of low academic performance, socio-economically disadvantaged students, and students with disabilities in the following ways: staff will conduct outreach to local Head Start centers with socio-economically disadvantaged students and students with disabilities, staff will distribute flyers and/or online information in the school's neighborhood, a neighborhood surrounded by schools with students of low academic performance, and staff will distribute written materials that include reference to the Charter School accepting students with disabilities.

As a charter school, New Heights is a school of choice, and New Heights may have more students interested in attending the school than there are spaces available. If the number of students who wish to attend New Heights exceeds the number of openings, entrance shall be determined by single random public drawing in accordance with Education Code §47605(e)(2).

3. LOTTERY PREFERENCES/PRIORITY ORDER

Admission preferences in the following order will be given in the event of lottery:

1. Students currently attending the school and residing within LAUSD
2. Siblings of students admitted or attending the Charter School and residing within LAUSD.
3. Residents of LAUSD District, including children who attend, or reside in the attendance area of, the elementary school where the schoolsite is located.
4. Children of school staff residing within LAUSD.
5. Siblings of students admitted or attending the charter school (not within LAUSD).
6. Children of school staff (not within LAUSD) If LAUSD demands that we put a cap, we will cap this number at no more than 9 students in any given year.

4. LOTTERY PROCEDURE

Parents/guardians of current students are asked to complete an intent to re-enroll form just prior to the lottery application deadline to secure their space for the upcoming school year.

Lottery Application Forms will be accepted during a publicly advertised open application period each year for enrollment in the following school year, usually starting February 1 – March 30.

For a student to be eligible for enrollment the following school year, a Lottery Application Form (see Tab 6) must be completed and received at New Heights (or submitted online) by the stated annual deadline.

The deadline is communicated during school visits, on the school website, on the flyers/brochures shared with local head start and preschools, on the Charter School's bulletin boards, and/or building banners. 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 approximately a week after the application deadline to determine enrollment for the impacted grade levels. The lottery will be conducted at the Charter School and supervised by the Executive Director or it will be conducted through an online system programmed with the Charter School's priorities for enrollment. If held in person, all interested parties may observe, though parents will be informed that they do not need to be present at the lottery to secure a spot for their child. Waitlist procedures are included in the Waitlist Letters which all waitlist students receive after the lottery is completed. Student names will be randomly drawn to fill the number of available spaces per grade level, with all additional names drawn to compile a wait list.

Within approximately two weeks of the lottery, parents and/or legal guardians will be notified, in writing in a letter (or email) sent by an office staff member, as to whether the student has been offered enrollment or placed on a waiting list. Those who apply after the lottery deadline are added to the end of the lottery waitlist in the order they are received.

Vacancies that occur during the school year will be filled according to the wait list. When an offer occurs during the school year, families will be contacted by an office staff member in the order of the wait list and given a deadline to complete and return an Enrollment Packet (see Tab 6) to accept a space at the Charter School. The phone message will be left in the families language used to complete the Lottery Application. In the event that no such wait list exists where the space is available, the space will be made available on a first come, first served basis to the next interested family at the appropriate grade level.

The enrollment packets are completed after a student is admitted and preferably before the first day of school. The enrollment packet includes the following:

- Proof of Immunization*
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements
- Release of records

The waitlist for the current school year remains active until the end of the school year and does not "roll over"; applicants must reapply for the lottery annually if the Charter School is unable

to offer them admission for the current year. All applications materials are provided in English and Spanish.

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.” (Ed. Code § 47605(c)(5)(I).)

Charter School shall provide for an annual audit that shall be conducted in compliance with applicable state and federal laws, including but not limited to the requirements of Education Code sections 47605(b)(c)(I) and 41020 as they may be amended from time to time. Charter School shall ensure compliance with the requirements of section 41020(f)(2), which makes it unlawful, absent an Education Audits Appeal Panel waiver, for a public accounting firm to provide audit services to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous years.

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 – July 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 Charter School’s Calendar
- h. Statistical Report – monthly according to Charter School’s Calendar of Reports

In addition:

- P1, first week of January
 - P2, first week of April
- i. Instructional Calendar – annually five weeks prior to first day of instruction
 - j. Other reports as requested by the District

Annual Audit Procedures

Position Responsible for Contracting with Accountant

Each fiscal year an independent auditor certified by the State of California will conduct an audit of the financial affairs of New Heights Charter School to verify the accuracy of the Charter School's financial statements, attendance and enrollment accounting practices, and internal controls. New Heights Charter School’s Board of Directors will select a State-approved Charter

School Auditor based upon their relevant experience with school finance and charter school finance, auditing team experience, proposed fees, and other relevant criteria. Persons involved in selecting and overseeing the auditor's work will not have a direct, personal financial stake in matters audited.

Position Responsible for Working with the Auditor

The State-approved Charter School Auditor will report directly to New Heights Charter School Board of Directors. Pursuant to Education Code Section 47604.33, New Heights Charter School will provide any necessary financial statements to LAUSD and the Los Angeles County Office of Education (LACOE), and the respective state agencies. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

Procedures to Ensure the Selected Auditor is on State Controller's List

New Heights Charter School will retain auditors to conduct independent financial audits that will employ generally accepted auditing principles and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Controller General of the United States.

4. Process to Address and Resolve Deficiencies

The New Heights Board of Directors will review any audit exceptions or deficiencies and report recommendations on resolution to the New Heights Board of Directors. The New Heights Board of Directors will report to the District regarding how exceptions and deficiencies have been or will be resolved. It is understood that exceptions and deficiencies will be resolved to the satisfaction of LAUSD.

5. Position Responsible for Ensuring the Auditor Sends the Audit by Deadline

The Executive Director shall ensure that all deadlines related to the New Heights Board of Directors' review of the audit and the submission of the Audit to all relevant agencies are met. The Executive Director will work with The State-approved Charter School Auditor to advise and update the New Heights Board of Directors.

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 from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).” (Ed. Code § 47605(c)(5)(J).)

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 and complies with the District’s Discipline Foundation Policy and/or current equivalent policy.. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students.

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.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated in this section.

HOMEWORK TO SUSPENDED STUDENTS

For any student who has been suspended from school for two or more schooldays, Charter School shall provide student with the homework the student would otherwise have been assigned if requested by the student or student's parent/guardian. If a homework assignment is requested and turned in to the student's teacher either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, but it is not graded before the end of the academic term, then that assignment shall not be included in the calculation of the pupil's overall grade in the class. (Ed. Code § 48913.5)

STUDENTS WITH DISABILITIES

Charter School shall establish and implement policies and procedures to ensure full 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, pending the completion of the expulsion process, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement determined in coordination with the LAUSD Division of Special Education.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a Section 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 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 Section 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 Section 504?

NOTIFICATION OF THE DISTRICT

Upon expelling any student, Charter School shall notify the Charter Schools Division by submitting an expulsion packet to the CSD immediately or as soon as practicable, which shall contain:

- Completed “Notification of Charter School Expulsion” [form available from the CSD website or office], including attachments as required on the form
- Documentation of the expulsion proceeding, including statement of specific facts supporting the expulsion and documentation that Charter School’s policies and procedures were followed
- Copy of parental notice of expulsion hearing
- Copy of expulsion notice provided to parent stating reason for expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student’s compliance for reinstatement, appeal process, and options for enrollment
- If the student is eligible for Special Education, documentation related to expulsion in compliance with IDEA including the Expulsion Analysis page of the pre-expulsion IEP
- If the student is eligible for Section 504 accommodations, documentation that Charter School conducted a Link Determination meeting to address 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 Charter School’s failure to implement Section 504 Plan?

Notwithstanding and apart from 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 section 49068 (a) and (b).

OUTCOME DATA

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, involuntary removals, 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 governing board 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.

School Climate and Student Discipline System

1. PHILOSOPHY AND APPROACH

New Heights will adhere to a positive behavior philosophy consistent with the District's discipline policy, with modeling and reinforcement of positive behavior and lifestyle choices. This policy will include, but is not limited to the students' rights and responsibilities while on Charter School grounds as well as the school's suspension and expulsion policies. The discipline policy shall not be discriminatory, arbitrary or capricious, and follows the general principles of due process. The policy may be adapted as needed in regard to the discipline of a student with special needs as determined by the provisions of the IDEA.

Upon enrollment and just before the beginning of each school year, Charter School families will each receive a copy of the School Community Handbook in their Enrollment Packets. Parents are invited to a one-on-one appointment with staff just prior to the first day of school to review the Handbook and all school policies, including the school's discipline policy.

Teachers are trained during professional development meetings to use effective classroom management strategies to maximize instruction and minimize student misbehavior. Teachers are also trained on how to understand, distinguish, and address Tier I, Tier II, and Tier III behaviors. The schoolwide and classroom management systems are built on the philosophy that effective management means that more time is spent on proactive strategies, rather than reactive strategies. The staff shall enforce disciplinary rules and procedures fairly and consistently among all students.

New Heights supports the behavioral, social emotional and academic needs of every student by providing universal screenings for all students at the beginning of each year. Using a Multi-tiered System of Support, New Heights offers increasing levels of targeted support for those who are struggling in any capacity and extension opportunities for learners who need more challenge.

New Heights uses progressive discipline to address behavioral and social-emotional needs:

- Morning Meetings
- Student and Family Support Team check-ins – Incorporated in weekly/daily
- Integrated emotional learning including: buddy partnerships, conflict resolution, digital citizenship, social skills groups, etc.
- Mindfulness and self-regulation practices

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

New Heights Code of Conduct:

1. Be respectful to each other, all staff, community, and school property.

2. Follow directions the first time.
3. Participate thoughtfully in all school activities.
4. Think about and reflect on your behavior and listen for ideas that will help you.
5. Make healthy choices.
6. Try... and try again.

Teachers are expected to handle all **Tier 1** behavior and academic problems/concerns in the classroom. The following strategies from Responsive Classroom have been adopted school-wide and all teachers are expected to implement within the class.

Logical Consequences (Respectful, Relevant, Realistic):

1. Reparation/Fix it on the Spot: “You break it you fix it”

When children’s mistakes result from simple carelessness, impulsivity, or forgetfulness, reparation gives them the opportunity to take responsibility by fixing the damage they have caused.

2. Loss of Privilege: “If you are not responsible, you lose a privilege”

Privileges are opportunities to learn to be reliable, to take responsibility for following the rules when acting autonomously. Every child needs a chance to learn the connection between responsibility and privileges.

3. Take a Break/TAB

Used in a consistent, calm, and non-punitive way, time-out can be a valuable strategy for helping students develop self-control while preserving the smooth flow of the classroom. Time-out is a useful way to teach children to refocus and return to successful participation in class activity.

4. Buddy Teacher Procedure

Teacher communicates with Buddy Teacher to allow student to take a break in the buddy classroom. Teacher continues teaching the rest of the class. Teacher welcomes student back into class, and does a quick conference to reflect and problem solve with student.

If these proactive strategies don’t work to alleviate the problem behavior, or if the particular behavior is repeated more than three times, the teacher will complete a Behavior Notice. This form will outline the problem behavior, the actions the teacher took, and the required follow-up step for parents. Depending on the violation, a student’s parent or guardian might be contacted immediately. Copies of the referral are kept by the teacher, parent, and Student and Family Support Team/Office Staff.

For **Tier 2 and 3** Behaviors, teachers are expected to work with the Student and Family Support Team and/or Executive Director to intensify their efforts to address behavior in order to avoid suspension and expulsion whenever possible.

New Heights does not consider suspension and/or expulsion to be effective means of improving student behavior and compliance with Charter School rules and policies. While either or both may become necessary in extraordinary circumstances, New Heights uses a variety of other strategies to provide proactive and reactive supports for students as **alternatives to suspension/expulsion**. Students who do not adhere to stated expectations for behavior and who violate the Charter School's rules will experience non-suspension and non-expulsion consequences for their behavior. Consequences may include, but are not limited to:

- Reminder and redirection
- Warning, verbal and/or written
- Individual conference with the teacher
- Loss of privileges
- Individual behavior contract
- Referral to the Executive Director or other school staff member
- Notices to parents by telephone or letter
- Parent conference, at school or during a home visit
- Restorative Justice: Restorative justice strategies provide opportunities for students to be accountable to those they have harmed and enable them to repair the harm they caused to the extent possible. Strategies at New Heights include conflict resolution and problem-solving meetings between students and staff, and restorative justice circles.

Using Data: New Heights staff use data to check for disproportionality in behavior referrals/notices, notice trends, and reflect on procedures and communication systems that can be improved to better support student behavior. Teachers are trained in the concept of implicit bias and encouraged to reflect on potential biases and their impact on the implementation of the school's management system.

Fairness: New Heights Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. New Heights Charter School's discipline policy and its procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the School Community Handbook which is shared with each family at the beginning of the school year. The Director of Operations shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

Any student who engages in repeated violations, defined as three or more, of the Charter School's behavioral expectations, or a single severe infraction (e.g., aggression with an intent to hurt, weapon possession, possession of illegal drugs or controlled substances), will be required

to attend a meeting with the Charter School's Executive Director (which meeting may also include members of the Student and Family Support Team, special education and general education teachers, or other relevant staff) and the student's parents. The Charter School will prepare a specific, written agreement outlining future student conduct expectations, timelines, and consequences for failure to meet the expectations which may include, but are not limited to, suspension or expulsion.

New Heights Charter School is exempt from Education Code requirements and procedures related to student suspension and expulsion. Therefore, references in this charter to the Education Code are used as a guideline. We will note that our policy is consistent to the School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013 and Education Code section 48901.1 A student may be suspended or expelled for any of the acts enumerated in Education Code § 48900 except for willful defiance, as related to Charter School activity or Charter School attendance that occurs at any time including, but not limited to:

- While on Charter School grounds
- While going to or leaving from Charter School
- During, or traveling to or from, a Charter School-sponsored activity

2. IN-SCHOOL SUSPENSION

New Heights offers in-school suspension as a means of reducing time missed from learning for behavioral issues and as a way to keep students close and feeling connected to our school community. Based on the offense committed, the Executive Director shall take into consideration the safety and health of all students and staff at the Charter School before determining whether or not in-school suspension is in the best interest of both the student who committed the offense, along with the other New Heights students and staff. If the Executive Director determines that in-school suspension is a viable option, the Executive Director or certificated designee will notify the student and his/her parents in writing of the in-school suspension, which will include a description of the offense committed and the length of the in-school suspension. Staff will also text/call home to ensure timely communication with families. Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Students will not be suspended for more than 20 days for the year.

During in-school suspension, students shall be supervised by a designated staff member. During the course of the in-school suspension, students shall receive assignments through their regular classroom teachers, to be supervised by a designated staff member in a room outside of the student's classroom. Students who receive supports will continue to receive supports/services during the course of the in-school suspension.

In-school suspension will not be used for: incidents of hate violence, threats/intimidation, terrorist threats, or other behaviors that pose a threat to the immediate safety of students and staff.

3. GROUNDS FOR SUSPENSION AND EXPULSION

The Executive Director bears primary responsibility for overseeing all student discipline and has the authority to suspend students. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a Charter School activity or Charter School 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.

Suspension: Discretionary Suspension Offenses.

A pupil shall not be suspended from school or recommended for expulsion, unless the Executive Director of the Charter 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) 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 the 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) (1)
 - (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (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, that 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 or 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 (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). "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 (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.
- (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 the act is related to a school activity or school attendance** occurring within a school under the jurisdiction of the Executive Director or occurring within any other school district.
- (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, the school leader 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 specific misbehavior as specified in Section 48900.5. Alternatives to suspension or expulsion are designed for a pupil who is truant, tardy, or otherwise absent from school activities.

Mandatory Expulsion/Suspension:

The Executive Director shall immediately suspend (out of school) and recommend a student's expulsion if he or she determines that the student committed any of the following acts at school or at a school activity off school grounds:

Education Code (EC) 48915(c)

Act **must** be committed at school or school activity.

1. Firearm
 - a. Possessing firearm when a district employee verified firearm possession and when student did not have prior written permission from a certificated employee which is concurred with by the principal or designee.
 - b. Selling or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in *Health and Safety Code* Section 11053 et. seq.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of EC 48900 or committing sexual battery as defined in subdivision (n) of 48900.
5. Possession of an explosive.

Note: Pursuant to E.C. Section 48915 (g), “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.

Executive Director Shall Recommend Expulsion Unless Particular Circumstances Render Inappropriate

A student may be suspended or expelled for any of the acts enumerated in Education Code § 48900 except for willful defiance, as related to Charter School activity or Charter School attendance that occurs at any time including, but not limited to:

- While on Charter School grounds
- While going to or leaving from Charter School
- During, or traveling to or from, a Charter School-sponsored activity

EC Section 48915 (a) states that an administrator shall recommend expulsion for the following violations [except for subsections (c) and (e)] unless the administrator finds that expulsion is inappropriate due to a particular circumstance.

1. Causing serious physical injury to another person, except in self-defense. EC Section 48915 (a)(1).
2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil. EC Section 48915 (a)(2).
3. Possession and/or use of any substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the *Health and Safety Code*, except for the first offense for possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis.
4. Robbery or extortion. EC Section 48915 (a)(4).
5. Assault or battery, or threat of, on a school employee.

The recommendation for expulsion shall be based on 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 [see Section 48915 (b)].

Executive Director May Recommend Expulsion (Discretionary)

Acts committed at school or school activity or on the way to and from school or school activity.

- a. Inflicted physical injury[†]
 - b. Possessed dangerous objects
 - c. Possessed drugs or alcohol (policy determines which offense)
 - d. Sold look alike substance representing drugs or alcohol
 - e. Committed robbery/extortion
 - f. Caused damage to property[‡]
 - g. Committed theft
 - h. Used tobacco (policy determines which offense)
 - i. Committed obscenity/profanity/vulgarity
 - j. Possessed or sold drug paraphernalia
-
- k. Received stolen property
 - l. Possessed imitation firearm
 - m. Committed sexual harassment
 - n. Harassed, threatened or intimidated a student witness
 - o. Sold prescription drug Soma
 - p. Committed hazing
 - q. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

The recommendation for expulsion shall be based on 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 [see Section 48915 (b)].

[†] Section 48900 (s) (Statutes of 2001) states a pupil who aids or abets in infliction of physical injury to another, as defined in *Penal Code* 31, may suffer suspension, but not expulsion. However, if a student is adjudged by a court to have caused, attempted to cause, or threatened personal injury, the student may be expelled.

‡ Section 48900 (t) "school property" includes, but is not limited to, electronic files and databases.

The charter school does not have the authority to suspend a pupil enrolled in kindergarten to grade three and the authority to recommend for expulsion a pupil enrolled in kindergarten to grade 12 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties.

A pupil enrolled in kindergarten or any of grades 1 to 5 shall not be suspended on the basis of having disrupted school activities or otherwise willfully defied the valid authority of those school personnel engaged in the performance of their duties, and those acts shall not constitute grounds for a pupil enrolled in a charter school to be recommended for expulsion.

A pupil enrolled in grades 6-8 shall not be suspended on the basis of having disrupted school activities or otherwise willfully defied the valid authority of those school personnel engaged in the performance of their duties.

4. PROCEDURES FOR SUSPENSION AND EXPULSION

Incidents leading to possible suspension will be thoroughly investigated and the collection of evidence will be fair and thorough. Students and parents will have adequate notice of the reason for potential disciplinary action and a chance to share their perspective through the process of the informal conference described below. Parents and students may appeal a suspension decision by submitting a written suspension appeal request (see appeal process below).

Step 1: Informal Conference

Suspension shall be preceded by an informal conference, written notice, or phone conversation conducted by the Executive Director or Student and Family Support, with the student and the student's parents. The conference will include a reporting of the incident(s), as well as the reasons why it caused a problem, and an explanation of the evidence that supports the incident report. Students are always given a chance to provide their perspective on the events (their "side of the story.") The conference may be omitted if the Executive Director or Student and Family Support Coordinator determine that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the student is suspended without a conference, the parents will be notified of the suspension and a conference will be conducted as soon as practicable.

Step 2: Notice to Parents

Parents and students will have due process rights with regards to suspensions and be informed of these rights. The Executive Director has the authority to suspend. At the time of a student's suspension, the Executive Director (or her designee) shall make a reasonable effort to contact the parents by telephone or in person and provide notice to parents/guardians, in their home language, of the offenses committed, the actions taken, and the length of time of the

suspension. The designee can include the Operations Director, the Student and Family Support Coordinator, or the Office Administrator. The notice will also clarify if the suspension is an in-school or out of school suspension.

Step 3: Determination of Length of Suspension

The length of the suspension will be determined by the Executive Director based on the severity of the offense(s), as evidenced by witness statements, physical evidence, and other relevant factors. The length of suspension for any single offense for general education students and students with an Individualized Education Plan or 504 may not exceed a period of 5 consecutive days for in-school or out of school suspensions and the total number of days for which a pupil may be suspended from school in one academic year shall not exceed a total of 20 school days in any school year for in-school or out of school suspensions.

Meaningful Access to Education: Upon request of the parent/guardian/educational rights holder/student, a teacher shall provide to a pupil of any grade 1-12 who has been suspended from school for two or more schooldays, the homework that the pupil would otherwise have been assigned. If the homework assignment that is requested pursuant to this and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

The classroom teacher of the suspended student will collect and provide the student with classroom material and current assignments to be completed at home during the length of the suspension. Written notification listing all required assignments will be sent to the student's parents via email and mail, and all needed materials will be left in the front office to be picked up by a parent or guardian. The suspended student will be permitted to make up homework, class assignments, and missed tests upon return to the classroom setting and within one week of the suspension.

Step 4: Recommendations for Expulsion

If the Executive Director recommends expulsion, the student and the student's parents will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. This determination will be made by the Executive Director upon either of the following findings:

- The student's presence will likely be disruptive to the educational process
- The student poses a threat or danger to others

Upon this determination, the student's suspension will be extended pending the results of an expulsion hearing. The suspension can be extended beyond five days only if, following a meeting in which the student and parent/guardian are invited to attend, it is found that the student's presence at school or in an alternative school placement would "cause a danger to persons or property or a threat of disrupting the instructional process" (§48911(g)). The

student may be suspended the amount of time prior to the hearing, maximum 30 days. The student will be placed in an alternative education setting within 5 days after the offense.

Students will be recommended for expulsion if the Executive Director finds that at least one of the following findings may be substantiated:

- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- Due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Step 5: Expulsion Hearing

Students recommended for expulsion will be entitled to a hearing, if requested, to determine whether or not the student should be expelled. The hearing will be held within 30 days, from the date of the recommended expulsion, after the Executive Director determines that an act subject to expulsion has occurred. The hearing will be presided over by the Expulsion Review Panel. The Expulsion Review Panel will include three or more certificated persons, none of whom have been members of the Charter School's Board or on the staff of the Charter School in which the pupil is enrolled. A Facts and Findings document that includes dates, times, incidences, people present, and an objective anecdotal record of the events will be prepared by the Executive Director (or designee) to summarize the evidence adduced at the hearing by the Expulsion Review Panel to substantiate the expulsion decision.

The Executive Director (or designee) will prepare a written notice of the hearing, which will be emailed and mailed, within 48 hours of the request for the hearing, and it will be forwarded to the student and the student's parents at least 10 calendar days before the date of the hearing. This notice will include:

- The date and place of the hearing
- A statement of the specific facts, charges and offense(s) upon which the proposed expulsion is based
- A statement of the disciplinary rules that relate to the alleged violation
- The opportunity for the student or the student's parents to appear in person at the hearing
- The opportunity for the student to be represented by counsel
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- Notice of reasonable accommodations
- Availability of language support
- Special rules and procedures for incidents involving sexual assault, presentation and cross examination of witnesses.

The expulsion hearing will be conducted in a manner consistent with the student's due process rights as set forth in Education Code section 47605 (c)(5)(J)(ii). The Executive Director will

ensure that all necessary evidence is secured and made available for presentation at the hearing. The Executive Director will describe all allegations of misconduct upon which the expulsion recommendation is based, describe the alleged incident, describe evidence of due process, provide direct witness testimony and documentary evidence in support of the Charter School's allegation and the investigation. The Executive Director will obtain parental consent if a student witness volunteers to testify on behalf of the Charter School. In addition, an anonymous sworn declaration of witness may be used in lieu of live testimony when the witness directly observed or is a victim of the incident and the witness clearly articulates facts that would cause a reasonable person to believe that some form of physical harm or retaliation would result from testifying or having his or her identity revealed. For incidents involving sexual assault, if witnesses volunteer to testify, they may ask for up to two support persons to be present at the hearing.

If, due to a written request by the accused pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

A decision by the Expulsion Review Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Written findings of fact made by the expulsion review panel shall be based solely on the evidence at the hearing. Reasonable accommodations will be provided, as well as language support, as needed by the student, student's family, and representative.

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. These records will be made available to parents / students through a written request made to the Charter School office.

After the Expulsion Review Panel conducts the hearing, the Panel makes a recommendation, supported by written findings of fact, to the New Heights Board of Directors, based on the evidence provided at the hearing, within 24 hours of the hearing.

If the Expulsion Review Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program at the Charter School. If the Expulsion Review Panel decides to recommend expulsion, a Special Meeting of the New Heights Board of Directors will be called by the New Heights Board President and members will meet in closed session to review and vote on the decision, unless the student requests a public meeting.

The New Heights Board of Directors will issue a decision of either:

- a. Expulsion: The student is expelled and the student is not allowed to attend any school or educational program within New Heights Charter during the term of expulsion, except as precluded by law.

- b. No Expulsion: The New Heights Board of Directors may reject the recommendation of the Expulsion Review Panel and choose to not expel the student. In this case, the student will be immediately reinstated in the Charter School.

Notification of Expulsion and Due Process. The Executive Director following a decision of the Board of Directors to expel shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian within 5 school days. This notice shall also include the following:

1. Notice of the specific offense(s) committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with New Heights Charter School.
3. The reinstatement eligibility review date and procedures.
4. A copy of the rehabilitation plan.
5. Appeal procedures

Following Expulsion the Executive Director will collaborate with the family through meetings, emails, and phone calls to:

- Work cooperatively with the District and parents to assist with appropriate and timely educational placement of the expelled student (See FSDRL).
- Share appropriate information as requested by the family to support the student in receiving needed services and supports
- Consult, collaborate, and coordinate Charter School staff with community agency personnel

5. APPEAL OF SUSPENSION OR EXPULSION

Suspension Appeal. To appeal a school suspension or in-school suspension, the parent/guardian shall submit a letter to the Director of Operations with information as to why the appeal is being submitted and any data for the appeal no later than five (5) school days after the last day of suspension.

For school suspension and in-school suspension appeals, the Director of Operations shall form a Suspension Appeal Committee consisting of 3 individuals made up of Charter School employees who are impartial because they are not related to the incident or have taught the student. The Committee will conduct a suspension appeal review of the suspension materials which may include interviews with individual with knowledge of the incident(s) within five (5) school days of the submission of appeal.

The Director of Operations shall notify the parent in writing of the decision of the appeal within three (3) school days of the appeal conference.

For school and in-school suspensions the appeal decision made by the Suspension Appeal Committee is final and may not be further appealed. The results shall be documented and kept in the student's records. Parents may submit a written objection to the final decision; however, no further appeal action will be taken. The written objection will be kept in the student's discipline file if the parent so requests.

Expulsion Appeal. The pupil shall have the right of appeal from expulsion from New Heights. Parents can appeal the expulsion decision to a Disinterested Panel of 3 Charter Community Members selected by the New Heights Board Directors, whose members are not connected with New Heights in any formal way and are impartial as to the underlying facts. Parents/guardians must file an appeal addressed to the Executive Director within 30 calendar days of the date on which the student was expelled by the New Heights Board of Directors. The student / parent/ guardian may request the hearing transcript from the expulsion hearing and any supporting documents from New Heights the day of filing and include them in the appeal. New Heights has ten school days to provide the documents and must ensure the appeal hearing is held, following adequate notice to the student and parent by paper and/or electronic means, within 20 school days of the date on which the appeal was filed. The appeal hearing will provide reasonable accommodations and language support for the student and parent, and a meaningful opportunity to be heard (via dedicated time during the hearing). Following the appeal hearing, the Disinterested Panel of Charter Community Members will make a final decision based on the information presented at the appeal hearing by the parent and information from the original expulsion hearing. The Disinterested Panel of Charter Community Members will notify the Charter School's Board of Directors in writing of its decision. The Disinterested Panel of Charter Community Members' decision, regarding the expulsion, will be final.

6. POLICIES AND PROCEDURES REGARDING REHABILITATION, REINSTATEMENT, AND READMISSION

The general requirements for rehabilitation plans, readmission and reinstatement are explained at the beginning of Element 10. The New Heights procedure for the filing and processing of requests for readmission or reinstatement, and the process for the required review of all expelled pupils for readmission or reinstatement is explained below.

Families are asked to submit a written document requesting readmission or reinstatement within thirty (30) calendar days of the last day of the expulsion. Readmission means the student wants to reenroll at New Heights. Reinstatement means the student does not want to reenroll at New Heights but is requesting New Heights to confirm in writing that he or she satisfied the terms of the rehabilitation plan so he or she can be reinstated.

Reinstatement: For families seeking only reinstatement who do not wish to reenroll their child at New Heights, the family must submit along with the request for reinstatement, documentation of compliance with the student's rehabilitation plan. So long as the student seeking reinstatement has satisfied the terms of the rehabilitation plan, New Heights will issue a written notice stating as much and that the student can be reinstated. The notice will be issued within ten (10) school days of receipt of the request for reinstatement and documentation of compliance with the rehabilitation plan.

Readmission: For families who want to reenroll their child at New Heights (readmission), New Heights will review the documentation of compliance with the student's rehabilitation plan. So long as the student seeking readmission has satisfied the terms of the rehabilitation plan, the student is eligible to be considered for readmission. Parents will be notified of this review by phone and/or US mail. The student will then enter the lottery process, consistent with all applicable New Heights admission policies and procedures. 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. Response to the written request for readmission will be provided to the family within ten (10) school days from the date the review is completed by the Executive Director or designees. A description of these procedures for readmission will be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered.

Records of all student suspensions and expulsions will be maintained at New Heights Charter School. Such records shall be made available to the District upon request.

Notice to Teachers: The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

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.” (Ed. Code § 47605(c)(5)(K).)

Charter School shall comply in a timely manner with all applicable federal and state laws and regulations, as they may change from time to time, including but not limited to Internal Revenue Code section 414(d) and related regulations, governing Charter School’s participation in, and/or coverage of its staff members by, the State Teachers’ Retirement System (CalSTRS), the Public Employees’ Retirement System (CalPERS), and/or federal social security.

If Charter School participates in, or otherwise covers its staff members by enrolling or continuing their enrollment in, a “government plan” governed by section 414(d) (e.g., CalPERS), upon dissolution or final liquidation of Charter School, and/or its nonprofit public benefit corporation, notwithstanding any provision in Element 15 to the contrary, Charter School shall distribute its net assets in accordance with section 414(d), related regulations, and the government plan’s requirements.

If Charter School participates in CalSTRS and/or CalPERS, Charter School shall continue such participation for the duration of Charter School’s existence under the same CDS code, if mandated by applicable legal and retirement plan requirements.

The Executive Director is responsible for ensuring that appropriate arrangements for retirement coverage have been made for all employees.

Certificated Employees: All full-time, certificated employees at New Heights will continue to participate in the State Teachers’ Retirement System (“STRS”). Full-time is defined, for certificated employees, as working six (6) hours per day. Employees will contribute the required employee percentage, and Charter School will contribute the employer’s portion. All withholdings from employees and from Charter School will be forwarded to the STRS fund as required. Employees will accumulate service credit years in the same manner as all other members of STRS. STRS contributions will be reported through LACOE.

Classified Employees: All full-time, classified employees at New Heights are offered the opportunity to participate in the school’s 403B plan.

Other Employees: Other staff positions not included in the above categories will participate in Social Security.

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.” (Ed. Code § 47605(c)(5)(L).)

Pupils of Charter School do not have or gain any right to admission in a particular school of any school district, or program of any school district, as a consequence of applying to or enrolling in Charter School, except to the extent that such a right is extended by the school district.

A pupil who chooses not to attend Charter School may attend a public school within the pupil's school district of residence in accordance with applicable law and that school district's policies and procedures. The pupil alternatively may seek to enroll in another charter school in accordance with applicable law and the terms of the school's charter. If LAUSD is the pupil's school district of residence, an eligible pupil may pursue an inter-district transfer, if available, in accordance with the admission, enrollment, and transfer policies and procedures of the District, as they may change from time to time.

New Heights will communicate to all prospective and current parents and students that New Heights is a school of choice, and parents may choose to send their children to a different school in the area. All parents and students will be informed that they have public school attendance alternatives on the Lottery Application.

ELEMENT 13 – RIGHTS OF DISTRICT EMPLOYEES

“The rights of an 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.” (Ed. Code § 47605(c)(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.” (Ed. Code § 47605(c)(5)(N).)

GENERAL PROVISIONS

Any claim, controversy or dispute between the District and Charter School arising out of, or relating to, this Charter, except for any claim, controversy or dispute related to the authorization, non-renewal, revision, and/or revocation of this Charter, (“Dispute”) shall be resolved pursuant to the terms of this Element 14.

Notwithstanding any other provision of law, each party shall bear and be solely responsible for all of its own attorneys’ fees, costs and expenses associated with any Dispute, including, but not limited to, any written/oral communication, meeting, Issues Conference, mediation, arbitration, administrative and/or civil action (including all levels of appeal), and no party shall be ordered to pay, or be awarded, any other party’s attorneys’ fees, costs or expenses in connection therewith, regardless of who may be deemed the prevailing party. Any fees, costs and expenses charged by a mediator or arbitrator (including all associated administration fees, costs and expenses) shall be shared equally by the parties regardless of the outcome or award. To that effect, any order or award of attorneys’ fees, costs and/or expenses, or mediator’s or arbitrator’s fees, costs or expenses (including any associated administration fees, costs and expenses), issued by a mediator, arbitrator, judicial officer (including all levels of appeal) or jury in any Dispute shall be deemed invalid as a matter of law and unenforceable by one party against the other party.

PROPOSITION 39 DISPUTES

Any Dispute related to or arising out of Education Code section 47614 and/or its implementing regulations set forth in California Code of Regulations, title 5, section 11969 et seq. (“Proposition 39”), shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and all supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile or e-mail, 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 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise, all Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Executive Director
New Heights Charter School
2202 Martin Luther King, Jr.
Los Angeles, CA 90008

- 2) A written response ("Written Response") shall be tendered to the other party within fifteen (15) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, 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 communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been resolved by mutual agreement from the Written Response, 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 on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.
- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, and conclude within forty (40) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 5) If the mediation is not successful, either party may then initiate a civil action. Venue for any civil action between the parties shall be the Los Angeles County Superior Court.

NON-PROPOSITION 39 DISPUTES

Any Dispute not related to or arising out of Proposition 39 shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated 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 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.

Unless directed otherwise all Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Executive Director
New Heights Charter School
2202 Martin Luther King, Jr.
Los Angeles, CA 90008

- 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 or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, 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 communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been otherwise resolved by mutual agreement, 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 from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.

- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 5) 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.

ELEMENT 15 – CHARTER SCHOOL CLOSURE PROCEDURES

“The procedures to be used if the charter school closes. The procedures shall 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 of any net assets and for the maintenance and transfer of pupil records.” (Ed. Code § 47605(c)(5)(O).)

REVOCATION OF THE CHARTER

The District may revoke the Charter pursuant to the provisions set forth in the Charter Schools Act of 1992, as they may be amended from time to time. The District may revoke the Charter of Charter School if the District finds, through a showing of substantial evidence, that Charter School did any of the following:

- Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the Charter.
- Charter School failed to meet or pursue any of the pupil outcomes identified in the Charter.
- Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Charter School violated any provision of law.

Prior to revocation, and in accordance with Education Code section 47607(g) and state regulations, the LAUSD Board of Education will notify Charter School in writing of the specific violation, and give 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 provisions set forth in this Charter.

Pursuant to Education Code section 47607.3, a charter school identified for needing assistance and provided advice and assistance from the California Collaborative for Educational Excellence based on failure to satisfy state evaluation rubrics may be subject to revocation.

CLOSURE ACTION

The decision to close Charter School, by the governing board of Charter School must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of

Education Code section 47607(f)) or non-renewed by the LAUSD Board of Education and Charter School has exhausted its revocation or non-renewal administrative appeal rights pursuant to Education Code sections 47605(k) and 47607(j), or its administrative appeal rights have lapsed, or the charter school voluntarily closes at any stage of the administrative appeal process; the governing board of Charter School votes to close Charter School; or the Charter lapses.

CLOSURE PROCEDURES

The procedures for charter school closure set forth below are guided by Education Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962 and 11962.1, and are based on "Charter Schools Closure - Requirements and Recommendations" posted on the California Department of Education website. All references to "Charter School" apply to Charter School, including its nonprofit corporation and governing board.

Designation of Responsible Person(s) and Funding of Closure

Prior to or at the time of the taking of a Closure Action by either the governing board of Charter School or the LAUSD Board of Education, the governing board of Charter School shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how 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 LAUSD Charter Schools Division (CSD). Charter School shall provide the CSD with written notice of (1) the person(s) designated to be responsible for conducting and overseeing all closure activities, and (2) the source, location, and management of the funding for such activities. If the Closure Action is an act of Charter School, Charter School shall provide the CSD with a copy of the governing board resolution or minutes that documents its Closure Action.
2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Charter School within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written parent notification to the CSD.
3. Los Angeles County Office of Education (LACOE). 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 Charter School participates. 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 Charter School's employees participate. Within fourteen (14) calendar days of the Closure Action, Charter School shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, 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 these notifications and correspondence to the CSD.
6. The California Department of Education (CDE). 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. 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 Charter School employees and vendors within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written employee and vendor notification, with any attachments, to the CSD.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall 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 of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of the student's cumulative record and other records, including but not limited to 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 closure of Charter School
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 the closure of Charter School, by which Charter School shall provide employees with written verification of employment

Within 30 calendar days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of all such employee verification letters to the CSD.

Records Retention and Transfer

Charter School shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Charter School records, including student records. These requirements include:

1. Charter School shall provide the District with all original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of Charter School. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.
2. Charter School's process for transferring copies of student records to receiving schools shall be in accordance with applicable law and LAUSD procedures for students moving from one school to another.

3. Charter School shall prepare and provide an electronic master list of all students to the Charter Schools Division in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, 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 also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the CSD in the form of a CD or otherwise in accordance with District procedures.
4. Charter School must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Charter School will coordinate with the CSD for the delivery and/or pickup of student records.
5. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, and Title I records (if applicable).
7. Charter School must provide to the CSD the name, title, and contact information of the person designated to maintain all Charter School personnel records after the closure. Personnel records to be transferred to and maintained by the designee must include any and all employee records, including but not limited to, records related to performance and grievance. Charter School must provide to the CSD and the designee a list of all active and inactive employees and their periods of service. Both Charter School and the designee, individually and separately, shall inform the CSD immediately upon the transfer of Charter School's employee records to the designee.
8. Charter School shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
9. Charter School shall provide to the responsible person(s) designated by the governing board of Charter School to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

Financial Close-Out

After receiving notification of closure, the California Department of Education (CDE) will notify Charter School and the authorizing entity of any liabilities Charter School owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar 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 school received state funding for which it was not eligible.

Charter School shall ensure completion of an independent final audit within six months after the closure of 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 Charter School.

This audit may serve as Charter School's annual audit if it meets all of the requirements of the annual audit.

Charter School shall pay for the financial closeout audit of 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 Charter School will be the responsibility of Charter School and not LAUSD. Charter School understands and acknowledges that Charter School will cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. 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 Charter School participates, and other categorical funds will be returned to the source of funds.

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. 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 (ADA) 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 Charter School. Charter School closure procedures must also ensure appropriate disposal, in accordance with the District Required Language provisions in Element 11 of this Charter, Charter School's governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of Charter School have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. Charter School, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Charter School by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and Charter School shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Charter School is operated as or by a nonprofit corporation, and if the corporation does not have any functions other than operation of Charter School, the corporation shall be dissolved according to its bylaws.

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.

Charter School's governing board shall adopt a plan for wind-up of Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Charter School shall provide LAUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which Charter School will make the payments.

Prior to final close-out, Charter School shall complete all actions required by applicable law, including but not limited to the following:

- 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. Make final federal tax payments (employee taxes, etc.)
- c. Complete and submit all required federal and state filings and notices to the State of California, the Internal Revenue Service, and the Department of the Treasury, including but not limited to final tax returns and forms (e.g., Form 990 and related Schedules).

This Element 15 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end Charter School's authorization to operate as a charter school or cause Charter School to cease operation. Charter School agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 15 or any provision of this Element 15 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.

ADDITIONAL PROVISIONS

FACILITIES

Charter School shall comply with all geographic and site limitations and related requirements set forth in Education Code sections 47605.1, 47602(a), and 47605(a).

District-Owned Facilities

If Charter School is using District facilities as of the date of the submission of this charter petition or takes occupancy of District facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by the District for the use of the District 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 District facilities, Charter School shall execute an agreement provided by the District for the use of the District facilities prior to occupancy and commencing use. Charter School shall implement and otherwise comply with the terms of any and all applicable facilities use agreements between Charter School and the District.

The circumstances of Charter School's occupancy of District facilities may change over time such as, but not limited to, enrollment, programs, and the conditions of facilities, and the District has a vested interest in having an agreement that is appropriate for the situation.

For a Sole Occupant Agreement or any other use agreement that is not a Proposition 39 Single Year Co-location Use Agreement or a lease issued through the Notice of Intent and bid process, the term may be co-terminous with the approved Charter, as permitted by law. Charter School and the District shall negotiate any modifications of the agreement with the goal of such amendment or new agreement being considered by the LAUSD Board of Education with the renewal of the charter petition. If Charter School and the District cannot execute an agreement in time for such to be considered by the Board of Education with the renewal of the charter petition, the approval of the renewal of the charter petition shall be conditioned upon Charter School and the District executing an amendment to the existing use agreement or a new agreement no later than May 1st or within nine (9) months of the date of the Board of Education's approval of the renewal of the charter petition. During such time period Charter School shall be permitted to remain in occupancy of the District facilities under the terms and conditions of the immediately preceding, executed use agreement; provided, that if Charter School and the District cannot agree upon and execute an amendment or new use agreement by said deadline, Charter School shall vacate the District facilities on or before June 30th of said school year.

Charter School acknowledges and agrees that occupancy and use of District facilities shall be in compliance with applicable laws and District policies for the operation and maintenance of District facilities and furnishings and equipment. Charter School shall comply with all District health, safety, and emergency procedures and requirements and shall be subject to inspection by the District's Facilities Services Division, OEHS, and other District offices in the same manner

as other LAUSD campuses. All District facilities (i.e., schools) will remain subject to those laws applicable to public schools.

In the event of an emergency, all District 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 District facilities with other District user groups, Charter School agrees that it will participate in and observe all District safety policies (e.g., emergency chain of information and participation in safety drills).

The use agreements provided by the District for District 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 District facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the Charter and incidental related uses. Separate and apart from its right as authorizer to observe and inspect any part of the charter school at any time pursuant to Education Code 47607(a)(1), the District shall have and reserves the right to inspect District facilities upon reasonable notice to Charter School.
- Furnishings and Equipment: The District 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 District facilities by any person or entity other than Charter School shall be administered by the District. The parties may agree to an alternative arrangement in the use agreement.
- Programs, Services, and Activities Outside Instructional Program; Third Party Vendors:
 - (i) Any program, service, or activity provided outside the instructional program shall be subject to the terms and provisions of the use agreement, and, additionally, may require a license, permit, or additional agreement issued by the District. The term "instructional program" is defined, per Education Code section 47612 and 5 CCR section 11960, as those required educational activities that generate funding based on "average daily attendance" and includes those extracurricular programs, services, and/or activities that students are required to participate in and do not require the payment of any consideration or fee.
 - (ii) Any program, service, or activity requiring the payment of any consideration or fee or provided by a third party vendor (defined as any person or entity other than Charter School), whether paid or volunteer and regardless of whether such may be within the instructional program, shall be subject to the terms and provisions

of the use agreement and such third party vendor shall be required to obtain a license, permit, or additional agreement from the District.

- Minimum Payments or Charges to be Paid to District Arising from the Facilities:
 - (i) Pro Rata Share: The District shall collect, and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter Schools 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 the District agrees to allow Charter School to perform any of the operation and maintenance services, the District shall have the right to inspect the District 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 District facilities with another user, the District shall provide the operations and maintenance services for the District 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 District facilities, the District shall allow Charter School, at its sole cost and expense, to provide some operations and maintenance services for the District facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, the District shall provide all services for regulatory inspections which as the owner of the real property it 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 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

Occupancy and Use of the Site: Prior to occupancy or use of any school site or facility, Charter School shall provide the CSD with a current Certificate of Occupancy or equivalent document

issued by the applicable permitting agency that allows Charter School to use and occupy the site as a charter school. Charter School shall not exceed the operating capacity of the site and shall operate within any limitations or requirements provided by the Certificate of Occupancy and any applicable permit. Charter School may not open or operate without providing a copy of an appropriate Certificate of Occupancy to the CSD. If Charter School intends to move or expand to another facility during the term of this Charter, Charter School shall adhere to any and all District policies and procedures regarding charter material revision and non-material amendment. Prior to occupancy or use of any such additional or changed school site, Charter School shall provide an appropriate Certificate of Occupancy to the CSD for such facility. 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.

Facility Compliance: Prior to occupancy or use of any non-District-owned school site and/or facility, Charter School shall ensure that the site and/or facility complies 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 Charter School is to be located, federal and state accessibility requirements (including the Americans with Disabilities Act (ADA) and Section 504), and all other applicable fire, health, and structural safety and access requirements. This requirement shall also apply to the construction, reconstruction, alteration of or addition to the facility. Charter School shall resolve in a timely manner any and all corrective actions, orders to comply, and notices issued by any authorized building and safety agency. Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Charter School shall maintain on file readily accessible records that document facilities compliance and shall promptly provide such documentation to the CSD upon request.

Pest Management: Charter School shall comply with the Healthy Schools Act, Education Code section 17608, which details pest management requirements for schools.

Asbestos Management: Charter School shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. 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.

INSURANCE

Insurance Requirements

No coverage shall be provided to Charter School by the District under any of the District's self-insured programs or commercial insurance policies. 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] or the equivalent provided through a California Joint Powers Authority self-insurance program to protect Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners, and/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 its Board of Education 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 Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect 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 Charter School does not operate a student transportation service. If Charter School provides student transportation 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 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 \$1,000,000 per occurrence/\$1,000,000 aggregate, with deductible that is acceptable to the Los Angeles Unified School District.
5. Cyber Liability insurance coverage with minimum limits of \$500,000 per occurrence and \$500,000 general aggregate.
6. Professional Educators Errors and Omissions liability coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
7. Sexual Molestation and Abuse coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 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. Whether this coverage is separately issued or included by endorsement

to another policy, such coverage shall be endorsed to name the Los Angeles Unified School District and Its Board of Education 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 Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.

8. Employment Practices Legal Liability coverage with limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
9. Excess/Umbrella Liability 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 and alternative methods of coverage as approved by the District. Where specifically required above, and with respect to any other coverage for which such endorsements and/or provisions are available, each policy shall be endorsed to name the Los Angeles Unified School District and Its Board of Education 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 Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.

Evidence of Insurance

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 at the outset of the Charter agreement and within 30 calendar days of the inception or effective date of any new policies, renewals, or changes, certificates of insurance evidencing such coverage and signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

"Charter school shall be required to provide LAUSD with 30 days prior written notice by certified mail, return receipt requested, if the insurance afforded by this policy shall be suspended, cancelled, reduced in coverage limits or non-renewed."

With respect to the coverages for which additional insured status is required as set forth above, the certificate(s) of insurance shall reflect Los Angeles Unified School District's and Its Board of Education's status as named additional insureds thereunder, and shall attach a copy of the endorsement(s) extending such coverage.

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 Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to Charter 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 Charter School.

Hold Harmless/Indemnification Provision

To the fullest extent permitted by law, 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. 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 Charter School and/or its officers, directors, employees or volunteers. Moreover, Charter School agrees to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers, for any contractual liability resulting from third party contracts with Charter School's vendors, contractors, partners or sponsors.

FISCAL MATTERS

District Oversight Costs

The District may charge for the actual costs of oversight of Charter School not to exceed 1% of Charter School's revenue, or the District may charge for the actual costs of oversight of Charter School not to exceed 3% if Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum oversight fee allowed under the law as it may change from time to time. The oversight fee provided herein is separate and distinct from the charges arising under 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.

Third Party Contracts

Charter School shall ensure that all third party contracts, whether oral or written, for supplies, equipment, goods and/or services, for the direct or indirect benefit of, or otherwise related to the operation of, Charter School, require compliance with and otherwise conform to all

applicable local, state, and federal policies, regulations, laws, and guidelines, including but not limited to licensing and permit requirements as well as requirements related to protection of health and safety.

Special Education Revenue Adjustment/Payment for Services

In the event that 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 Charter School, Charter School authorizes the District to deduct any and all of the in lieu property taxes that Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, 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.

Student Body Funds

Charter School shall supervise and manage any and all student body funds in a manner consistent with the provisions of Education Code sections 48930-48938. Charter School shall include and address student body funds in its financial reports, and ensure that such funds are included and addressed in Charter School's annual audit as a stand-alone item.

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 its 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 the District, among other things, monitors the fiscal condition of Charter School.
- The District is authorized to revoke this Charter for, among other reasons, the failure of Charter School to meet generally accepted accounting principles or if Charter School 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 Charter School's financial information,
- Charter School's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- Charter School's enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

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.

Fiscal Policies and Procedures

Charter School shall establish, maintain, and implement sound fiscal policies and procedures, including but not limited to internal controls governing all financial and business-related 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. (Ed. Code § 47612(b).)

Local Control and Accountability Plan

In accordance with California Education Code sections 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 section 47606.5(a). (Ed. Code § 47606.5(b).)

Addendum

Assurances, Affirmations, and Declarations

New Heights Charter (also referred to herein as “New Heights” and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(e)(1).)
- Not charge tuition. (Ed. Code § 47605(e)(1).)
- Not discriminate against any pupil 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, including immigration status. (Ed. Code § 47605(e)(1); Ed. Code § 220.)
- Except as provided in Education Code section 47605(e)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. (Ed. Code § 47605(e)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(e)(2)(A).)
- Except for existing pupils of Charter School, determine attendance by a public random drawing if the number of pupils who wish to attend Charter School exceeds Charter School’s capacity. Preference shall be extended to pupils currently attending Charter School and pupils who reside in the Los Angeles Unified School District (also referred to herein as “LAUSD” and “District”). Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation, and shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. (Ed. Code § 47605(e)(2)(B).)
- Charter school shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code section 47605(e)(2)(B)(iii). (Ed. Code § 47605(e)(4).)
- If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, 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. (Ed. Code § 47605(e)(3).)

- Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. (Ed. Code § 47605(d)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(d)(2).)

Charter School hereby declares that Charter School, operated as or by its nonprofit public benefit corporation, is and shall be the exclusive public school employer of Charter School’s employees for the purposes of the Educational Employment Relations Act (EERA), Chapter 10.7 (commencing with Section 3540) of Division 4 of Title I of the Government Code. Charter School shall comply with all provisions of the EERA and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

NOTE: This Charter contains specific “Federal, State and District Required Language” (FSDRL), including the *Assurances, Affirmations, and Declarations* section above. The FSDRL should be highlighted in gray within each Charter element or section. The final section of the Charter provides a consolidated addendum of the FSDRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the FSDRL for any given section of the Charter. To the extent that any inconsistency may exist between any provision contained within the body of the Charter and the FSDRL contained in the addendum, the provisions of the FSDRL addendum shall control.

Element 1 – The Educational Program

“The educational program of the charter school, designed, among other things, to identify those whom the charter 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.” (Ed. Code § 47605(c)(5)(A)(i).)

“The annual goals for the charter school 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, 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.” (Ed. Code § 47605(c)(5)(A)(ii).)

“If the proposed charter 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.” (Ed. Code § 47605(c)(5)(A)(iii).)

LOCAL CONTROL FUNDING FORMULA (LCFF) AND LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Los Angeles County Superintendent of Schools and the Charter Schools Division (CSD) on or before July 1. In accordance with Education Code sections 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 section 47605(c)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. Charter School shall comply with all requirements of Education Code section 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 local control and accountability plan and annual update to the local control and accountability plan.” (Ed. Code § 47606.5(d).)

ACADEMIC CALENDAR AND SCHEDULES

Charter School shall offer, at a minimum, the number of minutes of instruction set forth in Education Code section 47612.5, and the number of school days required by *California Code of Regulations*, title 5, section 11960.

MATHEMATICS PLACEMENT

Charter School shall comply with all applicable requirements of the California Mathematics Placement Act of 2015.

TRANSITIONAL KINDERGARTEN

Charter School shall comply with all applicable requirements regarding transitional kindergarten. For purposes of admission to Charter School, transitional kindergarten shall be considered a part of kindergarten, and therefore students enrolled in transitional kindergarten at Charter School shall be considered existing students of Charter School for purposes of Charter School’s admissions, enrollment, and lottery.

WASC ACCREDITATION

If Charter School serves students in grades 9-12, before Charter School graduates its first class of students, Charter School shall obtain, and thereafter maintain, Western Association of Schools and Colleges (WASC) accreditation.

ENGLISH LEARNERS

Charter School shall identify potential English Learners in a timely manner in accordance with all applicable legal requirements. Charter School must provide all English Learners with an effective English language acquisition program that also affords meaningful and equitable access to Charter School's core academic 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, upon request, Charter School shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School has adopted and is implementing either the LAUSD Master Plan for English Learners and Standard English Learners *or* Charter School's own English Learner (EL) Master Plan. If Charter School chooses to implement its own EL Master Plan, the plan shall provide a detailed description of Charter School's EL program, and shall address the following:

- How Charter School's EL Master Plan provides all of its English Learners, including but not limited to Long Term English Learners (LTELs) with an effective English language acquisition program as well as meaningful and equitable access to Charter School's core academic curriculum
- How English Learners' specific needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How 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

Each year, Charter School shall provide to the CSD a report on its annual evaluation of the effectiveness of its EL program. Upon request, Charter School shall provide a copy of its current EL Master Plan to the CSD.

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

Charter School shall reclassify English Learners in accordance with federal and state requirements.

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

STUDENTS WITH DISABILITIES

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.

Special Education Program

Charter School shall ensure that no student otherwise eligible to enroll in Charter School shall be denied, directly or indirectly, admission due to a disability or to Charter School's inability to provide necessary services. Charter School acknowledges that policies and procedures are in place to ensure the recruitment, enrollment, service, and retention of students with disabilities at LAUSD-authorized charter schools, including Charter School.

Prior to LAUSD Board of Education approval of an initial Charter petition, and if a renewing Charter School intends to operate as a "school of the district" for special education services, Charter School shall execute a Memorandum of Understanding ("MOU") by and between LAUSD and Charter School regarding the provision and funding of special education services consistent with applicable state law and the LAUSD Special Education Local Plan Area ("SELPA") Local Plan for Special Education and shall be considered a "public school of the District" for purposes of Special Education pursuant to Education Code section 47641(b). However, Charter School reserves the right to make written verifiable assurances that it may become an independent local educational agency (LEA) and join a SELPA pursuant to Education Code section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium following the requirements of Education Code section 56195.3(b). In this instance, Charter School will execute a MOU with LAUSD on provisions of special education as a member of a non-LAUSD SELPA.

SELPA Reorganization

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a). As a single-District SELPA, the District has created two charter 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 requiring all District-authorized charter schools to elect one of the three options available under the LAUSD SELPA. Prior to an option election, all District-authorized charter schools were required to participate as a school of the District under the District-Operated Programs Unit. Prior to the beginning of the 2013-2014 school year, all District-authorized charter schools, other than those that had previously executed an Option 3 Memorandum of Understanding ("MOU"), were required to execute a new MOU setting forth the LAUSD SELPA option election for the remainder of the charter petition term. The Charter-operated Program schools do not have LEA status for the purposes of special education but will function in a similar role in that each charter school will be responsible for all special education requirements, including but not limited to services, placement, due process, related services, special education classes, and special education supports. Charter schools that have elected to participate in a District-operated programs option may apply for membership in the Charter-operated Program section of the SELPA. Charter schools accepted for participation in the Charter-operated Programs section receive support from a Special Education Director for the Charter-operated Programs.

Use of District's Special Education Policies and Procedures and Data Systems

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of orders imposed upon the District pertaining to special education. 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.

All charter schools are required to interface with My Integrated Student Information System (MiSiS) via a web based Application Programming Interface (API). MiSiS is a suite of applications which is designed to capture all student data. .

Element 2 – Measurable Pupil Outcomes and 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 pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.” (Ed. Code § 47605(c)(5)(B).)

“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.” (Ed. Code § 47605(c)(5)(C).)

MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM

Charter School shall meet all statewide content and performance standards and targets. (Ed. Code §§ 47605(d)(1), 60605.)

Charter School shall comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula) and AB 484 (2013), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

STANDARDIZED TESTING

Charter School agrees to comply with state requirements for participation and administration of all state-mandated tests, including computer-based assessments. Charter School shall submit and maintain complete, accurate, and up-to-date California Longitudinal Pupil Achievement Data System (CALPADS) data in accordance with the requirements of California Code of Regulations, title 5, section 861. 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. Upon request, Charter School shall submit, in the requested format (e.g., CD), a copy of the results of all state-mandated tests to the District.

Element 4 – Governance

“The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.” (Ed. Code § 47605(c)(5)(D).)

GENERAL PROVISIONS

As an independent charter school, 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.

Charter School shall not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Ed. Code § 47604.)

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. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

Charter School shall comply with the Ralph M. Brown Act (“Brown Act”). All meetings of the Charter School’s governing board shall be called, held and conducted in accordance with the terms and provisions of Education Code section 47604.1 and the Brown Act including, but not limited to, those related to meeting access and recording, notice, agenda preparation, posting and reporting.

Charter School shall send to the CSD copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act. Charter School shall also send to the CSD copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on Charter School’s website will satisfy this requirement.

The District reserves the right to appoint a single representative to the Charter School governing board pursuant to Education Code section 47604(c).

LEGAL AND POLICY COMPLIANCE

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action.

Charter School shall comply with all applicable federal and state reporting requirements, including but not limited to the requirements of CBEDS, CALPADS, the Public Schools Accountability Act of 1999, and Education Code section 47604.33.

Charter School shall comply with the Brown Act and the California Public Records Act.

The Charter School shall comply with Government Code Section 1090, et seq., as set forth in Education Code section 47604.1.

Charter School shall comply with the Political Reform Act of 1974. (Gov. Code § 81000 et seq.)

Charter School and all employees and representatives of Charter School, including members of Charter School's governing board, members of Charter School or governing board committees and councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD charter school policy, regarding ethics and conflicts of interest. Charter School shall enter into all transactions and conduct business with all persons and entities at arm's length or, in the case of otherwise permissible related party transactions, in a manner equivalent to arm's length.

Charter School shall notify parents, guardians, and teachers in writing within 72 hours of the issuance of a Notice of Violation, Notice of Intent to Revoke, Final Decision to Revoke, Notice of Non-Renewal, or equivalent notice, by the LAUSD Board of Education.

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 of 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 that 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, 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 establish and provide a uniform complaint procedure in accordance with applicable federal and state laws and regulations, including but not limited to all applicable requirements of *California Code of Regulations*, title 5, section 4600 et seq.

Charter School shall adhere to all applicable federal and state laws and regulations regarding pupil fees, including Education Code sections 49010 - 49013, and extend its uniform complaint procedure to complaints filed pursuant to Education Code section 49013.

Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the Local Control Funding Formula legislation provisions set forth in Education Code section 52075.

RESPONDING TO INQUIRIES

Charter School, including its nonprofit corporation shall promptly respond to all reasonable inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School acknowledges that Charter School, including but not limited to its nonprofit corporation, is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current, complete, and accurate contact information for Charter School, Charter School administrators, and Board members.

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School's operations, or breach of the Charter, is received or discovered by the District, Charter School, including but not limited to its nonprofit corporation, employees, and representatives, shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

Charter School acknowledges and agrees that persons and entities that directly exercise control over the expenditure of Charter School's public funds shall be subject to all necessary and appropriate District charter school oversight.

NOTIFICATION OF THE DISTRICT

Charter School shall notify the Charter Schools Division (CSD) in writing of any citations or notices of workplace hazards, investigations by outside governmental regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g., loss of IRS 501(c)(3) status), or other formal complaints or notices, within one week of receipt of such notices by Charter School. Unless prohibited by law, Charter School shall notify the CSD in writing of any internal investigations within one week of commencing investigation. Charter School shall notify the CSD within 24 hours of any dire emergency or serious threat to the health and safety of students or staff.

STUDENT RECORDS

Upon receipt of a student records request from a receiving school/school district, Charter School shall transfer a copy of the student's complete cumulative record within ten (10) school days in accordance with Education Code section 49068 and all student confidentiality and privacy laws

including compliance with the Family Educational Rights and Privacy Act (FERPA). Charter School shall comply with the requirements of California Code of Regulations, title 5, section 3024, regarding the transfer of student special education records. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 15. Charter School shall comply with the requirements of Education Code section 49060 et seq., which include provisions regarding rights to access student records and transfer of records for youth in foster care.

PARENT ENGAGEMENT

Charter School shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of his/her child's admission, continued enrollment, attendance, or participation in the school's educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not, or will not provide volunteer service to Charter School.

The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. (Ed. Code § 47605(n).)

FEDERAL PROGRAM COMPLIANCE

As a recipient of federal funds, Charter School has agreed to meet all applicable programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) and other applicable federal 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 ESEA and other applicable federal programs. Charter School also acknowledges that, as part of its oversight of Charter School, the District may conduct program review for federal as well as state compliance.

Element 5 – Employee Qualifications

“The qualifications to be met by individuals to be employed by the charter school.” (Ed. Code § 47605(c)(5)(E).)

EQUAL EMPLOYMENT OPPORTUNITY

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, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, 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 but not limited to recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

ESEA/ESSA AND CREDENTIALING REQUIREMENTS

Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers are appropriately assigned and fully credentialed in accordance with applicable state requirements for certificated employment, including but not limited to the provisions of Education Code section 47605(l). Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

Element 6 – Health and Safety Procedures

“The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnish it with a criminal record summary as described in Section 44237*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.” (Ed. Code § 47605(c)(5)(F).)*

HEALTH, SAFETY AND EMERGENCY PREPAREDNESS PLAN

Charter School shall comply with all applicable federal, state, and local requirements related to school and student health, safety, and emergency preparedness.

If Charter School occupies and/or operates on a District facility, Charter School shall comply with all District health, safety, and emergency procedures and requirements applicable to District facilities and related operations, and shall be subject to inspection by the District’s Facilities Services Division, Office of Environmental Health and Safety, and other District offices in the same manner as other LAUSD campuses.

Charter School shall adopt, implement, and maintain at all times a current, comprehensive, and site-specific Health, Safety, and Emergency Preparedness Plan (“Plan”), which must include but is not limited to provisions for building and site emergency evacuation, the acquisition and maintenance of adequate onsite emergency supplies. The Plan must include Charter School’s requirements and procedures for protecting student health and safety during off-campus school-sponsored activities, including but not limited to field trips and transportation. Charter School shall ensure that all staff members receive annual training on Charter School’s health, safety, and emergency procedures, including but not limited to training on bloodborne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff.

Charter School shall periodically review, and update and/or modify as necessary, its Health, Safety, and Emergency Preparedness Plan, and keep it readily available for on-site use. Charter School shall provide a copy of the Health, Safety, and Emergency Preparedness Plan for review upon CSD request.

Comprehensive School Safety Plan

The Charter School shall adopt a Comprehensive School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include, but not be limited to: (1) an assessment of the current status of school crime committed on Charter School facilities and at Charter School-related functions; and (2) identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, which shall include the development of all of the following pursuant to Education Code section 32282(a)(2)(A)-(J):

- Child abuse reporting procedures
- Routine and emergency disaster procedures
- Policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- Procedures to notify teachers of dangerous students pursuant to Education Code section 49079
- A discrimination and harassment policy consistent with Education Code section 200
- Provisions of any schoolwide dress code that prohibits students from wearing "gang-related apparel" if applicable
- Procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- A safe and orderly environment conducive to learning at the Charter School
- The rules and procedures on Charter School discipline
- Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on Charter School campus(es) and at school-related functions.

CHILD ABUSE AND NEGLECT MANDATED REPORTER TRAINING

Charter School shall provide all employees, and other persons working on behalf of Charter School who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person's employment if employed after the beginning of the school year, in accordance with the requirements of Education Code section 44691.

Medication in School

The Charter School will adhere to Education Code section 49423 regarding administration of medication in school. Charter School shall stock and maintain the required number and type of

emergency epinephrine auto-injectors onsite and provide training to employee volunteers in the storage and use of the epinephrine auto-injector as required by Education Code section 49414 and section 4119.2 of the Business and Professions Code, as they may be amended from time to time.

ATHLETIC PROGRAMS

Charter School shall comply with the requirements of Education Code section 49475, with respect to any athletic program (as defined in Education Code section 49475) offered by or on behalf of Charter School.

If the Charter School offers an interscholastic athletic program, it shall develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire and regularly test and maintain at least one automated external defibrillator (AED) for the Charter School, and make the AED available at on-campus athletic activities or events according to the requirements of Education Code sections 35179.4 and 35179.6.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Charter School, including its employees, officers, and representatives, shall comply with the Family Educational Rights and Privacy Act (FERPA) and Education Code section 49060 et seq. at all times.

CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING

Charter School shall comply with all requirements of Education Code sections 44237 and 45125.1. Charter School shall designate and maintain at all times at least one Custodian of Records duly authorized by the California Department of Justice.

Charter School shall maintain on file and available for inspection evidence that (1) Charter School has performed criminal background checks and cleared for employment all employees prior to employment; (2) Charter School has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of schoolsite services and/or any contact with students, and has requested subsequent arrest notification service; and (3) Charter School has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. Charter School shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, Charter School shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records. Charter School, including its administrators and officers, shall comply with the requirements of Education Code section 44030.5.

All teachers in Charter School shall obtain a certificate of clearance and satisfy the requirements for professional fitness pursuant to Education Code sections 44339, 44340, and 44341.

IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS

Charter School shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, or otherwise meet the requirements of Education Code section 49406. Charter School shall maintain TB clearance records and certificates on file.

Charter School shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis pursuant to Education Code section 49450 et seq, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain student immunization, health examination, and health screening records on file.

SAFE PLACE TO LEARN ACT

Charter School shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code section 234 et seq.

SUICIDE PREVENTION POLICY

If Charter School serves students in any grades Transitional Kindergarten/Kindergarten through 12, Charter School shall comply with the requirements of AB 2246 (2016) and AB 1767, codified in Education Code section 215, including but not limited to the requirement that the school's pupil suicide prevention policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and adopted at a regular public hearing. The Charter School shall review, at a minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

HUMAN TRAFFICKING PREVENTION RESOURCES

If the Charter School serves students in any grades 6-12, it shall identify and implement the most appropriate methods of informing parents/guardians of human trafficking prevention resources as required by Education Code section 49381.

FEMININE HYGIENE PRODUCTS

If the Charter School maintains any combination of classes in grades 6-12 that meets the 40% pupil poverty threshold required to operate a schoolwide program pursuant to Section 6314(a)(1)(A) of Title 20 of the United States Code, then it shall stock at least 50% of its restrooms with feminine hygiene products at all times, and shall not charge students for these products, as required by Education Code section 35292.6.

NUTRITIONALLY ADEQUATE FREE OR REDUCED-PRICE MEAL

The Charter School shall provide each needy student, as defined in Education Code section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code section 49553(a), during each school day.

CALIFORNIA HEALTHY YOUTH ACT

The Charter School shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-12, at least once in middle school and at least once in high school, pursuant to the California Healthy Youth Act. (Ed. Code § 51930, et seq.)

BULLYING PREVENTION

Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying, and shall annually make available the online training module developed by the California Department of Education pursuant to Education Code section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with pupils.

LGBTQ RESOURCES TRAINING

Charter School recognizes that it is encouraged to use schoolsite and community resources developed by the State Department of Education for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils to provide training at least once every 2 years to teachers and other certificated employees at each Charter School schoolsite that serves pupils in grades 7 to 12, to increase support for LGBTQ pupils and thereby improve overall school climate. (Ed. Code § 218.)

TRANSPORTATION SAFETY PLAN

The Charter School shall develop and maintain a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, the Charter School shall ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Ed. Code § 39831.3; Veh. Code § 28160.)

Element 7 – Means to Achieve Racial and Ethnic Balance

“The means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general

population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(c)(5)(G).)

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 the District’s Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

Charter School has set forth below its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 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 lists specific dates and locations of recruitment activities that Charter School will undertake in order 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 throughout the term of the Charter to achieve the District’s goal. 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. The District may receive the Targeted Instructional Improvement Block Grant (TIIBG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIBG funding, where available, and cannot guarantee the availability of this funding.

Element 8 – Admission Policies and Procedures

“Admission policies and procedures, consistent with subdivision (e).” (Ed. Code § 47605(c)(5)(H).)

DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES

Charter School shall maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter. These records shall be made available to the District upon request.

HOMELESS AND FOSTER YOUTH

Charter School shall adhere to the provisions of the federal 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. Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Charter School will

enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment.

Charter School shall comply with all applicable federal and state laws regarding homeless and foster youth, including but not limited to the provisions of AB 379 (2015) and Chapter 5.5 (commencing with Section 48850) of Part 27 of Division 4 of Title 2 of the Education Code, as amended from time to time. Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the applicable provisions of AB 379.

NON-DISCRIMINATION

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, including immigration status, 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. 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.

Charter School shall not request or require submission of a student's IEP, Section 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.

Charter School shall not discourage a student from enrolling or seeking to enroll in the Charter School, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The Charter School shall not request or require a student's records to be submitted before enrollment. The Charter School shall post on its web site the California Department of Education notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquiries about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Ed. Code §§ 47605, 47605.6)

Charter School shall adopt policy that is consistent with the model policy developed by the California Attorney General addressing the Charter School's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code section 234.7.

PREGNANT AND PARENTING STUDENT ACCOMMODATIONS

Charter School shall provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The Charter School shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Ed. Code §§ 222, 222.5, 46015.)

SEXUAL HARASSMENT POLICY NOTICE

The Charter School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at each schoolsite and in public areas at each schoolsite.

If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level. If Charter School operates multiple school sites, this information shall be disaggregated by school site. (Ed. Code § 221.9.)

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.” (Ed. Code § 47605(c)(5)(I).)

Charter School shall provide for an annual audit that shall be conducted in compliance with applicable state and federal laws, including but not limited to the requirements of Education Code sections 47605(b)(c)(I) and 41020 as they may be amended from time to time. Charter School shall ensure compliance with the requirements of section 41020(f)(2), which makes it unlawful, absent an Education Audits Appeal Panel waiver, for a public accounting firm to provide audit services to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous years.

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 – July 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 Charter School’s Calendar
 - h. Statistical Report – monthly according to Charter School’s Calendar of Reports
- In addition:
- P1, first week of January
 - P2, first week of April
- i. Instructional Calendar – annually five weeks prior to first day of instruction
 - j. Other reports as requested by the District

Element 10 – Suspension and Expulsion Procedures

“The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).” (Ed. Code § 47605(c)(5)(J).)

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 and complies with the District's Discipline Foundation Policy and/or current equivalent policy.. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students.

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.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated in this section.

HOMEWORK TO SUSPENDED STUDENTS

For any student who has been suspended from school for two or more schooldays, Charter School shall provide student with the homework the student would otherwise have been assigned if requested by the student or student's parent/guardian. If a homework assignment is requested and turned in to the student's teacher either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, but it is not graded before the end of the academic term, then that assignment shall not be included in the calculation of the pupil's overall grade in the class. (Ed. Code § 48913.5)

STUDENTS WITH DISABILITIES

Charter School shall establish and implement policies and procedures to ensure full 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, pending the completion of the expulsion process, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement determined in coordination with the LAUSD Division of Special Education.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a Section 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 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 Section 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 Section 504?

NOTIFICATION OF THE DISTRICT

Upon expelling any student, Charter School shall notify the Charter Schools Division by submitting an expulsion packet to the CSD immediately or as soon as practicable, which shall contain:

- Completed “Notification of Charter School Expulsion” [form available from the CSD website or office], including attachments as required on the form
- Documentation of the expulsion proceeding, including statement of specific facts supporting the expulsion and documentation that Charter School’s policies and procedures were followed
- Copy of parental notice of expulsion hearing
- Copy of expulsion notice provided to parent stating reason for expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student’s compliance for reinstatement, appeal process, and options for enrollment
- If the student is eligible for Special Education, documentation related to expulsion in compliance with IDEA including the Expulsion Analysis page of the pre-expulsion IEP
- If the student is eligible for Section 504 accommodations, documentation that Charter School conducted a Link Determination meeting to address 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 Charter School’s failure to implement Section 504 Plan?

Notwithstanding and apart from 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 section 49068 (a) and (b).

OUTCOME DATA

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, involuntary removals, 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 governing board 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.

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.” (Ed. Code § 47605(c)(5)(K).)

Charter School shall comply in a timely manner with all applicable federal and state laws and regulations, as they may change from time to time, including but not limited to Internal Revenue Code section 414(d) and related regulations, governing Charter School’s participation in, and/or coverage of its staff members by, the State Teachers’ Retirement System (CalSTRS), the Public Employees’ Retirement System (CalPERS), and/or federal social security.

If Charter School participates in, or otherwise covers its staff members by enrolling or continuing their enrollment in, a “government plan” governed by section 414(d) (e.g., CalPERS), upon dissolution or final liquidation of Charter School, and/or its nonprofit public benefit corporation, notwithstanding any provision in Element 15 to the contrary, Charter School shall distribute its net assets in accordance with section 414(d), related regulations, and the government plan’s requirements.

If Charter School participates in CalSTRS and/or CalPERS, Charter School shall continue such participation for the duration of Charter School’s existence under the same CDS code, if mandated by applicable legal and retirement plan requirements.

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.” (Ed. Code § 47605(c)(5)(L).)

Pupils of Charter School do not have or gain any right to admission in a particular school of any school district, or program of any school district, as a consequence of applying to or enrolling in Charter School, except to the extent that such a right is extended by the school district.

A pupil who chooses not to attend Charter School may attend a public school within the pupil’s school district of residence in accordance with applicable law and that school district’s policies and procedures. The pupil alternatively may seek to enroll in another charter school in accordance with applicable law and the terms of the school’s charter. If LAUSD is the pupil’s school district of residence, an eligible pupil may pursue an inter-district transfer, if available, in accordance with the admission, enrollment, and transfer policies and procedures of the District, as they may change from time to time.

Element 13 – Rights of District Employees

“The rights of an 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.” (Ed. Code § 47605(c)(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.” (Ed. Code § 47605(c)(5)(N).)

GENERAL PROVISIONS

Any claim, controversy or dispute between the District and Charter School arising out of, or relating to, this Charter, except for any claim, controversy or dispute related to the authorization, non-renewal, revision, and/or revocation of this Charter, (“Dispute”) shall be resolved pursuant to the terms of this Element 14.

Notwithstanding any other provision of law, each party shall bear and be solely responsible for all of its own attorneys’ fees, costs and expenses associated with any Dispute, including, but not limited to, any written/oral communication, meeting, Issues Conference, mediation, arbitration, administrative and/or civil action (including all levels of appeal), and no party shall be ordered to pay, or be awarded, any other party’s attorneys’ fees, costs or expenses in connection therewith, regardless of who may be deemed the prevailing party. Any fees, costs and expenses charged by a mediator or arbitrator (including all associated administration fees, costs and expenses) shall be shared equally by the parties regardless of the outcome or award. To that effect, any order or award of attorneys’ fees, costs and/or expenses, or mediator’s or arbitrator’s fees, costs or expenses (including any associated administration fees, costs and expenses), issued by a mediator, arbitrator, judicial officer (including all levels of appeal) or jury in any Dispute shall be deemed invalid as a matter of law and unenforceable by one party against the other party.

PROPOSITION 39 DISPUTES

Any Dispute related to or arising out of Education Code section 47614 and/or its implementing regulations set forth in California Code of Regulations, title 5, section 11969 et seq. (“Proposition 39”), shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and all supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile or e-mail, 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 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise, all Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Director/Principal
New Heights Charter
2202 Martin Luther King Jr. Blvd.
Los Angeles, CA 90008

- 2) A written response (“Written Response”) shall be tendered to the other party within fifteen (15) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, 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 communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been resolved by mutual agreement from the Written Response, 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 on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.
- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the

date of the request for mediation or other date as determined by mutual agreement of the parties, and conclude within forty (40) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.

- 5) If the mediation is not successful, either party may then initiate a civil action. Venue for any civil action between the parties shall be the Los Angeles County Superior Court.

NON-PROPOSITION 39 DISPUTES

Any Dispute not related to or arising out of Proposition 39 shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated 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 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.

Unless directed otherwise all Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Director/Principal
New Heights Charter
2202 Martin Luther King Jr. Blvd.
Los Angeles, CA 90008

- 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 or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, 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 communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

- 3) If the Dispute has not been otherwise resolved by mutual agreement, 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 from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.
- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 5) 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.

Element 15 – Charter School Closure Procedures

“The procedures to be used if the charter school closes. The procedures shall 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 of any net assets and for the maintenance and transfer of pupil records.” (Ed. Code § 47605(c)(5)(O).)

REVOCATION OF THE CHARTER

The District may revoke the Charter pursuant to the provisions set forth in the Charter Schools Act of 1992, as they may be amended from time to time. The District may revoke the Charter of Charter School if the District finds, through a showing of substantial evidence, that Charter School did any of the following:

- Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the Charter.
- Charter School failed to meet or pursue any of the pupil outcomes identified in the Charter.
- Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

- Charter School violated any provision of law.

Prior to revocation, and in accordance with Education Code section 47607(g) and state regulations, the LAUSD Board of Education will notify Charter School in writing of the specific violation, and give 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 provisions set forth in this Charter.

Pursuant to Education Code section 47607.3, a charter school identified for needing assistance and provided advice and assistance from the California Collaborative for Educational Excellence based on failure to satisfy state evaluation rubrics may be subject to revocation.

CLOSURE ACTION

The decision to close Charter School, by the governing board of Charter School must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of Education Code section 47607(f)) or non-renewed by the LAUSD Board of Education and Charter School has exhausted its revocation or non-renewal administrative appeal rights pursuant to Education Code sections 47605(k) and 47607(j), or its administrative appeal rights have lapsed, or the charter school voluntarily closes at any stage of the administrative appeal process; the governing board of Charter School votes to close Charter School; or the Charter lapses.

CLOSURE PROCEDURES

The procedures for charter school closure set forth below are guided by Education Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962 and 11962.1, and are based on “Charter Schools Closure - Requirements and Recommendations” posted on the California Department of Education website. All references to “Charter School” apply to Charter School, including its nonprofit corporation and governing board.

Designation of Responsible Person(s) and Funding of Closure

Prior to or at the time of the taking of a Closure Action by either the governing board of Charter School or the LAUSD Board of Education, the governing board of Charter School shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how 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 LAUSD Charter Schools Division (CSD). Charter School shall provide the CSD with written notice of (1) the person(s) designated to be responsible for conducting and overseeing all closure activities, and (2) the source, location, and management of the

funding for such activities. If the Closure Action is an act of Charter School, Charter School shall provide the CSD with a copy of the governing board resolution or minutes that documents its Closure Action.

2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Charter School within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written parent notification to the CSD.
3. Los Angeles County Office of Education (LACOE). 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 Charter School participates. 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 Charter School's employees participate. Within fourteen (14) calendar days of the Closure Action, Charter School shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, 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 these notifications and correspondence to the CSD.
6. The California Department of Education (CDE). 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. 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 Charter School employees and vendors within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written employee and vendor notification, with any attachments, to the CSD.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure

3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall 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 of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of the student's cumulative record and other records, including but not limited to 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 closure of Charter School
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 the closure of Charter School, by which Charter School shall provide employees with written verification of employment

Within 30 calendar days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of all such employee verification letters to the CSD.

Records Retention and Transfer

Charter School shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Charter School records, including student records. These requirements include:

1. Charter School shall provide the District with all original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding

cumulative records for secondary and elementary schools, for all students, both active and inactive, of Charter School. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.

2. Charter School's process for transferring copies of student records to receiving schools shall be in accordance with applicable law and LAUSD procedures for students moving from one school to another.
3. Charter School shall prepare and provide an electronic master list of all students to the Charter Schools Division in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, 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 also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the CSD in the form of a CD or otherwise in accordance with District procedures.
4. Charter School must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Charter School will coordinate with the CSD for the delivery and/or pickup of student records.
5. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, and Title I records (if applicable).
7. Charter School must provide to the CSD the name, title, and contact information of the person designated to maintain all Charter School personnel records after the closure. Personnel records to be transferred to and maintained by the designee must include any and all employee records, including but not limited to, records related to performance and grievance. Charter School must provide to the CSD and the designee a list of all active and inactive employees and their periods of service. Both Charter School and the designee, individually and separately, shall inform the CSD immediately upon the transfer of Charter School's employee records to the designee.
8. Charter School shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
9. Charter School shall provide to the responsible person(s) designated by the governing board of Charter School to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

Financial Close-Out

After receiving notification of closure, the California Department of Education (CDE) will notify Charter School and the authorizing entity of any liabilities Charter School owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar 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 school received state funding for which it was not eligible.

Charter School shall ensure completion of an independent final audit within six months after the closure of 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 Charter School.

This audit may serve as Charter School's annual audit if it meets all of the requirements of the annual audit.

Charter School shall pay for the financial closeout audit of 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 Charter School will be the responsibility of Charter School and not LAUSD. Charter School understands and acknowledges that Charter School will cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. 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 Charter School participates, and other categorical funds will be returned to the source of funds.

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. 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 (ADA) 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 Charter School. Charter School closure procedures must also ensure appropriate disposal, in accordance with the District Required Language provisions in Element 11 of this Charter, Charter School's governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of Charter School have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. Charter School, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Charter School by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and Charter School shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Charter School is operated as or by a nonprofit corporation, and if the corporation does not have any functions other than operation of Charter School, the corporation shall be dissolved according to its bylaws.

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.

Charter School's governing board shall adopt a plan for wind-up of Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Charter School shall provide LAUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which Charter School will make the payments.

Prior to final close-out, Charter School shall complete all actions required by applicable law, including but not limited to the following:

- 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. Make final federal tax payments (employee taxes, etc.)
- c. Complete and submit all required federal and state filings and notices to the State of California, the Internal Revenue Service, and the Department of the Treasury, including but not limited to final tax returns and forms (e.g., Form 990 and related Schedules).

This Element 15 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end Charter School's authorization to operate as a charter school or cause Charter School to cease operation. Charter School agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 15 or any provision of this Element 15 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.

Additional Provisions

FACILITIES

Charter School shall comply with all geographic and site limitations and related requirements set forth in Education Code sections 47605.1, 47602(a), and 47605(a).

District-Owned Facilities

If Charter School is using District facilities as of the date of the submission of this charter petition or takes occupancy of District facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by the District for the use of the District 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 District facilities, Charter School shall execute an agreement provided by the District for the use of the District facilities prior to occupancy and commencing use. Charter School shall implement and otherwise comply with the terms of any and all applicable facilities use agreements between Charter School and the District.

The circumstances of Charter School's occupancy of District facilities may change over time such as, but not limited to, enrollment, programs, and the conditions of facilities, and the District has a vested interest in having an agreement that is appropriate for the situation.

For a Sole Occupant Agreement or any other use agreement that is not a Proposition 39 Single Year Co-location Use Agreement or a lease issued through the Notice of Intent and bid process,

the term may be co-terminous with the approved Charter, as permitted by law. Charter School and the District shall negotiate any modifications of the agreement with the goal of such amendment or new agreement being considered by the LAUSD Board of Education with the renewal of the charter petition. If Charter School and the District cannot execute an agreement in time for such to be considered by the Board of Education with the renewal of the charter petition, the approval of the renewal of the charter petition shall be conditioned upon Charter School and the District executing an amendment to the existing use agreement or a new agreement no later than May 1st or within nine (9) months of the date of the Board of Education's approval of the renewal of the charter petition. During such time period Charter School shall be permitted to remain in occupancy of the District facilities under the terms and conditions of the immediately preceding, executed use agreement; provided, that if Charter School and the District cannot agree upon and execute an amendment or new use agreement by said deadline, Charter School shall vacate the District facilities on or before June 30th of said school year.

Charter School acknowledges and agrees that occupancy and use of District facilities shall be in compliance with applicable laws and District policies for the operation and maintenance of District facilities and furnishings and equipment. Charter School shall comply with all District health, safety, and emergency procedures and requirements and shall be subject to inspection by the District's Facilities Services Division, OEHS, and other District offices in the same manner as other LAUSD campuses. All District facilities (i.e., schools) will remain subject to those laws applicable to public schools.

In the event of an emergency, all District 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 District facilities with other District user groups, Charter School agrees that it will participate in and observe all District safety policies (e.g., emergency chain of information and participation in safety drills).

The use agreements provided by the District for District 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 District facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the Charter and incidental related uses. Separate and apart from its right as authorizer to observe and inspect any part of the charter school at any time pursuant to Education Code 47607(a)(1), the District shall have and reserves the right to inspect District facilities upon reasonable notice to Charter School.
- Furnishings and Equipment: The District 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 District facilities by any person or entity other than Charter School shall be administered by the District. The parties may agree to an alternative arrangement in the use agreement.
- Programs, Services, and Activities Outside Instructional Program; Third Party Vendors:
 - (i) Any program, service, or activity provided outside the instructional program shall be subject to the terms and provisions of the use agreement, and, additionally, may require a license, permit, or additional agreement issued by the District. The term “instructional program” is defined, per Education Code section 47612 and 5 CCR section 11960, as those required educational activities that generate funding based on “average daily attendance” and includes those extracurricular programs, services, and/or activities that students are required to participate in and do not require the payment of any consideration or fee.
 - (ii) Any program, service, or activity requiring the payment of any consideration or fee or provided by a third party vendor (defined as any person or entity other than Charter School), whether paid or volunteer and regardless of whether such may be within the instructional program, shall be subject to the terms and provisions of the use agreement and such third party vendor shall be required to obtain a license, permit, or additional agreement from the District.
- Minimum Payments or Charges to be Paid to District Arising from the Facilities:
 - (i) Pro Rata Share: The District shall collect, and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter Schools 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 the District agrees to allow Charter School to perform any of the operation and maintenance services, the District shall have the right to inspect the District 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 District facilities with another user, the District shall provide the operations and maintenance services for the District 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 District facilities, the District shall allow Charter School, at its sole cost and expense, to provide some operations

and maintenance services for the District facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, the District shall provide all services for regulatory inspections which as the owner of the real property it 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 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

Occupancy and Use of the Site: Prior to occupancy or use of any school site or facility, Charter School shall provide the CSD with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency that allows Charter School to use and occupy the site as a charter school. Charter School shall not exceed the operating capacity of the site and shall operate within any limitations or requirements provided by the Certificate of Occupancy and any applicable permit. Charter School may not open or operate without providing a copy of an appropriate Certificate of Occupancy to the CSD. If Charter School intends to move or expand to another facility during the term of this Charter, Charter School shall adhere to any and all District policies and procedures regarding charter material revision and non-material amendment. Prior to occupancy or use of any such additional or changed school site, Charter School shall provide an appropriate Certificate of Occupancy to the CSD for such facility. 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.

Facility Compliance: Prior to occupancy or use of any non-District-owned school site and/or facility, Charter School shall ensure that the site and/or facility complies 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 Charter School is to be located, federal and state accessibility requirements (including the Americans with Disabilities Act (ADA) and Section 504), and all other applicable fire, health, and structural safety and access requirements. This requirement shall also apply to the construction, reconstruction, alteration of or addition to the facility. Charter School shall resolve in a timely manner any and all corrective actions, orders to comply, and notices issued by any authorized building and safety agency. Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Charter School shall maintain on file readily accessible records that document facilities compliance and shall promptly provide such documentation to the CSD upon request.

Pest Management: Charter School shall comply with the Healthy Schools Act, Education Code section 17608, which details pest management requirements for schools.

Asbestos Management: Charter School shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. 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.

INSURANCE

Insurance Requirements

No coverage shall be provided to Charter School by the District under any of the District's self-insured programs or commercial insurance policies. 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] or the equivalent provided through a California Joint Powers Authority self-insurance program to protect Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners, and/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 its Board of Education 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 Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect 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 Charter School does not operate a student transportation service. If Charter School provides student transportation 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 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 \$1,000,000 per occurrence/\$1,000,000 aggregate, with deductible that is acceptable to the Los Angeles Unified School District.
5. Cyber Liability insurance coverage with minimum limits of \$500,000 per occurrence and \$500,000 general aggregate.
6. Professional Educators Errors and Omissions liability coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
7. Sexual Molestation and Abuse coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 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. Whether this coverage is separately issued or included by endorsement to another policy, such coverage shall be endorsed to name the Los Angeles Unified School District and Its Board of Education 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 Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.
8. Employment Practices Legal Liability coverage with limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
9. Excess/Umbrella Liability 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 and alternative methods of coverage as approved by the District. Where specifically required above, and with respect to any other coverage for which such endorsements and/or provisions are available, each policy shall be endorsed to name the Los Angeles Unified School District and Its Board of Education 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 Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.

Evidence of Insurance

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 at the outset of the Charter agreement and within 30 calendar days of the inception or effective date of any new policies, renewals, or changes, certificates of insurance evidencing such coverage and signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

“Charter school shall be required to provide LAUSD with 30 days prior written notice by certified mail, return receipt requested, if the insurance afforded by this policy shall be suspended, cancelled, reduced in coverage limits or non-renewed.”

With respect to the coverages for which additional insured status is required as set forth above, the certificate(s) of insurance shall reflect Los Angeles Unified School District’s and Its Board of Education’s status as named additional insureds thereunder, and shall attach a copy of the endorsement(s) extending such coverage.

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 Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to Charter 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 Charter School.

Hold Harmless/Indemnification Provision

To the fullest extent permitted by law, 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. 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 Charter School and/or its officers, directors, employees or volunteers. Moreover, Charter School agrees to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers, for any contractual liability resulting from third party contracts with Charter School’s vendors, contractors, partners or sponsors.

FISCAL MATTERS

District Oversight Costs

The District may charge for the actual costs of oversight of Charter School not to exceed 1% of Charter School’s revenue, or the District may charge for the actual costs of oversight of Charter School not to exceed 3% if Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum oversight fee

allowed under the law as it may change from time to time. The oversight fee provided herein is separate and distinct from the charges arising under 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.

Third Party Contracts

Charter School shall ensure that all third party contracts, whether oral or written, for supplies, equipment, goods and/or services, for the direct or indirect benefit of, or otherwise related to the operation of, Charter School, require compliance with and otherwise conform to all applicable local, state, and federal policies, regulations, laws, and guidelines, including but not limited to licensing and permit requirements as well as requirements related to protection of health and safety.

Special Education Revenue Adjustment/Payment for Services

In the event that 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 Charter School, Charter School authorizes the District to deduct any and all of the in lieu property taxes that Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, 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.

Student Body Funds

Charter School shall supervise and manage any and all student body funds in a manner consistent with the provisions of Education Code sections 48930-48938. Charter School shall include and address student body funds in its financial reports, and ensure that such funds are included and addressed in Charter School's annual audit as a stand-alone item.

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 its 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 the District, among other things, monitors the fiscal condition of Charter School.

- The District is authorized to revoke this Charter for, among other reasons, the failure of Charter School to meet generally accepted accounting principles or if Charter School 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 Charter School's financial information,
- Charter School's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- Charter School's enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

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.

Fiscal Policies and Procedures

Charter School shall establish, maintain, and implement sound fiscal policies and procedures, including but not limited to internal controls governing all financial and business-related 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. (Ed. Code § 47612(b).)

Local Control and Accountability Plan

In accordance with California Education Code sections 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 section 47606.5(a). (Ed. Code § 47606.5(b).)