



VALLEY CHARTER MIDDLE SCHOOL

Charter Renewal Petition
Submitted July 29, 2019

For the term July 1, 2020 through
June 30, 2025

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Assurances, Affirmations, and Declarations

Valley Charter Middle School (also referred to herein as “VCMS and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(d)(1).)
- Not charge tuition. (Ed. Code § 47605(d)(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. (Ed. Code § 47605(d)(1); Ed. Code § 220.)
- Except as provided in Education Code section 47605(d)(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(d)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(d)(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”). (Ed. Code § 47605(d)(2)(B).)
- 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(d)(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(c)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(c)(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 “District Required Language” (DRL), including the *Assurances, Affirmations, and Declarations* section above. The DRL should be highlighted in gray within each Charter element or section. The final section of the Charter provides a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the Charter. To the extent that any inconsistency may exist between any provision contained within the body of the Charter and the DRL contained in the addendum, the provisions of the DRL 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(b)(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, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” (Ed. Code § 47605(b)(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(b)(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(b)(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(e).)

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.

HIGH SCHOOL EXIT EXAMINATION

Charter School shall comply with all applicable requirements of Education Code sections 60850 – 60859, including but not limited to the requirements of sections 60851.6 and 60852.3.

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 English Learner Master Plan *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).

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.-

Modified Consent Decree Requirements

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of the *Chanda Smith* Modified Consent Decree (“MCD”) and other court orders imposed upon the District pertaining to special education. The MCD is a consent decree entered in a federal court class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court-appointed independent monitor. The MCD includes nineteen statistically measurable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All charter schools are required to use the District’s Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online Individualized Education Programs (“IEPs”) and tracking of related services provided to students during the course of their education.

As part of fulfilling the District’s obligations under the MCD, student level data requests from District-operated and Charter-operated charter schools are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor’s (“OIM”) required format in accordance with the OIM’s required timelines and as follows:

- End of Year Suspension - District ID, SSIS ID, last name, first name, date of birth, gender, grade, date of suspension, number of days suspended, and reason for suspension.
- Statewide Assessment Data - The standard file including District ID.
- Norm day - District ID, SSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

- CBEDS
- All Students enrolled as of December 1 of each school year - District ID, SSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.
- Dropout - District ID, SSIS ID, last name, first name, middle name, date of birth, grade, last location, school name and local district
- Monthly SESAC and Suspension data
- Graduation roster from all charter schools with 12th grade students with disabilities

The MCD requires charter schools to implement the District’s integrated student information system, which is currently referred to as My Integrated Student Information System (MiSiS). MiSiS is a suite of applications which is designed to capture all District student data. All charter schools are required to utilize MiSiS directly or interface with MiSiS via a web based Application Programming Interface (API) in compliance with the requirements of the MCD and applicable timelines. Upon charter school full utilization of MiSiS either directly or via a web based API, the list of required data above will automatically be captured within MiSiS.

1. GENERAL INFORMATION	
The contact person for Charter School is:	Robert Burke, Executive Director
The contact address for Charter School is:	6952 Van Nuys Blvd. Van Nuys, CA 91405 OR 14646 Sherman Way Van Nuys, CA 91405
The contact phone number for Charter School is:	818-988-9128
The proposed address or zip code of the target community of Charter School is:	6952 Van Nuys Blvd. Van Nuys, CA 91405 AND 14646 Sherman Way Van Nuys, CA 91405
This location is in LAUSD Board District:	Board District 6
This location is in LAUSD Educational Service Center:	Educational Service Center Northeast
The grade configuration of the charter school is:	6 th – 8 th Grade
The number of students in the first year of the renewal term will be:	Approximately 344 Students
The grade level(s) of the students in the first year of the renewal term will be:	6 th – 8 th Grade
Charter School’s scheduled first day of instruction in 2020-2021 is:	August 20, 2020
The capacity is: (Enrollment capacity is defined as all students who are enrolled in Charter School regardless of student residency).	450 Students
The type of instructional calendar (e.g. traditional/year-round, single track/multi-track, extended day/year) will be:	Traditional
The bell schedule for Charter School will be:	8:35 am – 3:15 pm (seventh and eighth grade) 8:30 am – 3:10 pm (sixth grade)
The term of this charter shall be from:	July 1, 2020 to June 30, 2025

The Board of Directors for Valley Charter Middle School respectfully submits this charter renewal petition to the Los Angeles Unified School District (also referred to herein as “LAUSD” and “District”) for a five (5) year charter, grades 6-8, site-based program that will serve a diverse student population in the San Fernando Valley.

Community Need for a Charter School

The number of applications to the random public drawing (often called the lottery) demonstrates the need for VCMS in the community. As the chart below shows, the number of applications for the 6th grade has exceeded the number of spaces available for the past four years, with more than twice the number of applicants as compared to available spaces for the past three years.

Table 1: VCMS Lottery Applications Submitted Versus Spaces Available
Source: Valley Charter Middle School Google Form Data

	2016-2017 School Year	2017-2018 School Year	2018-2019 School Year	2019-2020 School Year
Sixth Grade Applications Submitted	147	278	239	252
Sixth Grade Spaces Available	120	120	96	96

2. School Performance over the Current Charter Term

Based on our school's record of performance, we are confident that we are meeting the needs of the community we serve. To illustrate this point, we will address:

1. Academic performance, both school-wide and for numerically significant subgroups, as measured by test scores
2. The success of innovative features of our program as measured by internal measures and observation
3. Our progress toward meeting the needs of our numerically significant subgroups
4. Opportunities for growth, and how we are addressing these

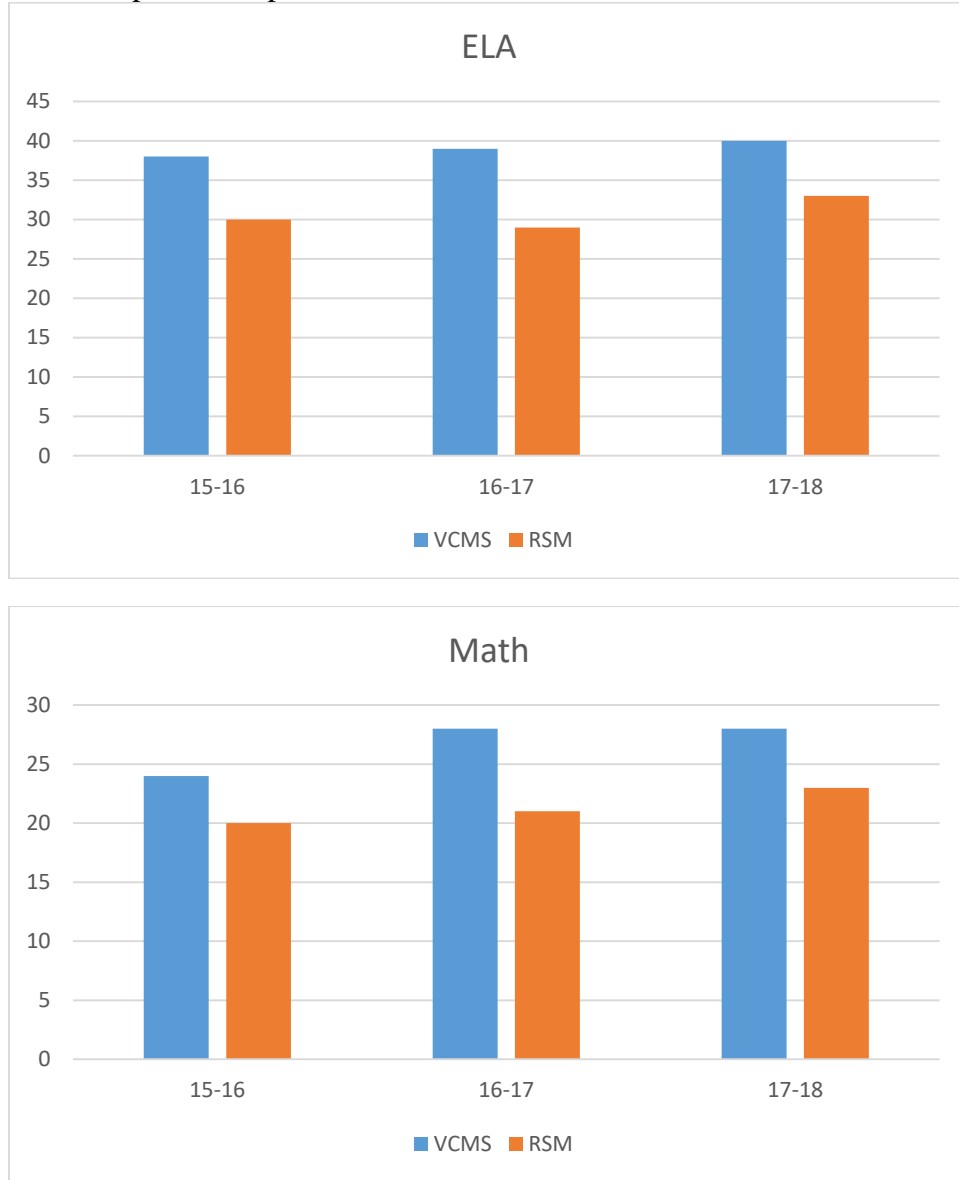
Academic Performance Data

Each year, students at Valley Charter Middle School participate in the California Assessment of Student Performance and Progress (CAASPP). Data from this assessment allow us to analyze trends in individual student performance, evaluate school-wide progress and the progress of numerically significant subgroups, and compare our school with the schools our students would otherwise attend, known as the resident school median (RSM). We are proud of the fact that, for the past three years, VCMS has outperformed the RSM in both English language arts (ELA) and mathematics. Indeed, from 2015-2018 (the most recent year for which data are available), the average difference between VCMS and the RSM was 8.3% in ELA and 5.3% in mathematics.

Table 2: Comparison of CAASPP Scores for VCMS and RSM
Source: LAUSD Data Set

Year	VCMS students meeting or exceeding the standard	RSM students meeting or exceeding the standard	Difference Between VCMS and RSM
15-16	ELA: 38% Math: 24%	ELA: 30% Math: 20%	ELA: 8% Higher Math: 4% Higher
16-17	ELA: 39% Math: 28%	ELA: 29% Math: 21%	ELA: 10% Higher Math: 7% Higher
17-18	ELA: 40% Math: 28%	ELA: 33% Math: 23%	ELA: 7% Higher Math: 5% Higher

Graph 1: Comparison of CAASPP Scores for VCMS and RSM

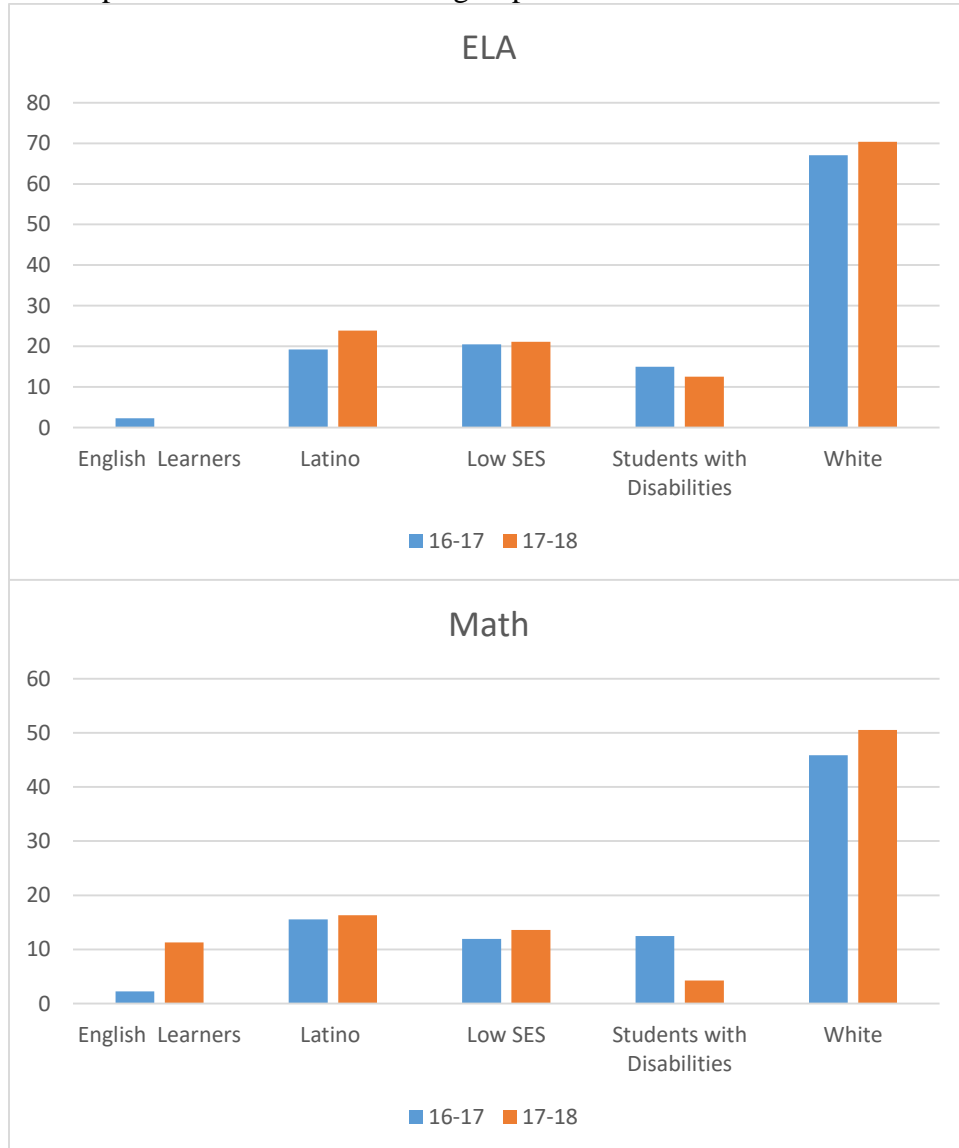


VCMS has five numerically significant subgroups: English Learners, Latino Students, socioeconomically disadvantaged students, students with disabilities, and white students. The chart below summarizes the percentage change in students meeting or exceeding the standard in each of these subgroups. It is gratifying for us to note that in seven of ten cases, our subgroups increased from the 2017 to 2018 test administration. The declines for English Learners for ELA and for students with disabilities in both ELA and mathematics certainly need to be addressed. Having said that, it is worth noting that these declines represent only one student for the two ELA declines, and three students for the math decline. With such small declines, we are confident that our steps to improve, outlined later in the section called “Areas of Challenge and Plans to Improve,” found on page 15, will mitigate these challenges.

Table 3: Trends in VCMS Subgroup Performance on the CAASPP
Source: LAUSD Data Set

Subgroup	ELA – 2017	ELA – 2018	ELA Change	Math – 2017	Math –2018	Math Change
English Learners	2.27%	0%	- 2.27%	2.27%	11.32%	+ 9.05%
Latino Students	19.26%	23.91%	+ 4.65%	15.56%	16.30%	+ 0.74%
Low SES Students	20.51%	21.09%	+ 0.58%	11.97%	13.61%	+ 1.64%
Students with Disabilities	15.00%	12.50%	- 2.50%	12.50%	4.26%	- 8.24%
White Students	67.06%	70.33%	+ 3.27%	45.88%	50.55%	+ 4.67%

Graph 2: Trends in VCMS Subgroup Performance on the CAASPP



Key Features of the Academic Program

The effectiveness of the key features of VCMS' program is evidenced in our CAASPP scores as compared to the RSM and feedback from students and parents.

The VCMS academic program makes it a model among public middle schools. Teachers design their year-long curricular programs by thinking about the major themes and ideas that are woven throughout their content areas, rather than by thinking of the curriculum as a series of discreet sets of facts to be memorized. With a year-long focus clearly in place, teachers then develop thematic units covering the major ideas they have previously identified. Within each of these units, teachers design projects in which students will engage as they work towards mastery. These projects are collaborative, creative, and require critical thinking skills. Teachers are present to focus student thinking and facilitate the learning process, but they are not there to give students the answers. It is the students who must grapple with the challenge of solving an authentic problem, working as a team to arrive at a justifiable conclusion.

In ELA, our school utilizes a balanced literacy approach through reading and writing workshop. Unlike many middle schools, where students all read the same novel regardless of their level, students in our ELA classes read books of their choosing and at their level. This is crucial because it reduces the risk of students becoming frustrated with a book that is too difficult for them or bored with a book that is too easy. Moreover, the reading workshop model is highly effective in a school like ours, where students vary widely in ability (Calkins, 2001). We seek to ensure that students are appropriately challenged regardless of their level. When writing, students are given the opportunity to meet with their teacher one on one to discuss specific areas in which they need to work. The workshop model personalizes learning for each student.

Our math program is based on a collaborative approach to learning as well as differentiation based on student need. Textbooks are used minimally, and instead, students work on authentic, real-world problems with math applications in partnership with other students. Learning is authentic and meaningful, whether students are using perimeter and area skills to design a blueprint for a backyard, comparing the unit prices of groceries as a way of understanding rates and ratios, or exploring probability through a study of carnival games. At the same time, we recognize that not all students learn at the same rate. To this end, 7th graders are offered placement in Math 7, Accelerated Math 7, Algebra I, or geometry based on grades, test scores and teacher recommendation. Similarly, 8th graders may be placed in Math 8, Algebra I, geometry, or Algebra II based on the same criteria.

Our social studies and science programs do not use textbooks, but instead focuses on project-based learning (PBL). All of our social studies and science teachers have been trained by PBL Works (formerly the Buck Institute) in "gold standard PBL." Armed with this knowledge, students design ancient Roman catapults, mummify chickens as part of a unit on ancient Egypt, create public service announcements about the amendments to the constitution, create and test roller coaster tracks, act as meteorologists forecasting the weather, and explore inherited diseases by drawing and analyzing pedigrees. In all these assignments, the focus is not solely, or even primarily, on the finished product. Rather, what is most important is the process taken to eventually get to an end product. This is where the real learning takes place.

Perhaps the greatest indicator of our success is in the response we have from student and parent surveys. In the 2018-2019 program evaluation survey, 82% of respondents indicates that they were satisfied or very satisfied that VCMS was reaching the goals set forth in our charter. Additionally, over 80% indicated that they were satisfied or highly satisfied with their child's progress in reading, writing, math, and critical thinking skills. Finally, 82% of respondents said they would be likely or very likely to recommend VCMS to a friend.

Success of our Program in Meeting the Needs of All Students

VCMS has five numerically significant subgroups: English Language Learners, Latino Students, socioeconomically disadvantaged students, students with disabilities, and white students. One of the most significant actions we have taken in the past years to ensure that we meet the needs of all students has been to focus on anti-bias education as a cornerstone of our curricular program. Broadly speaking, such an education reflects “the opportunity to alter our classroom practices creatively so that the democratic ideal of education for everyone can be realized (Hooks, 1994).” As a school that considers being diverse by design as one of its core values, we take a broad view of the meaning of diversity, including the linguistic, ethnic, socioeconomic, and ability differences demonstrated by our subgroups. To bring our vision of social justice to fruition, six of our staff members, including the executive director, principal, and assistant principal, have participated in an anti-bias education training institute in Brooklyn, New York. Our participation in this institute spurred us to create a diversity working group (DWG). The DWG is committed to, in the next year, determining entry points where anti-bias education can be integrated in to our standards-based curriculum. Extensive research shows that such explicit teaching of anti-bias and social equity themes leads to increased school connectedness for middle school students, and is therefore one of the most effective ways to meet the needs of a diverse student body (Baker & Narula, 2010; Kallymon, Gettinger, & Hanley-Maxwell, 2010; Tomek et. al, 2017.)

Our efficacy at meeting the needs of all students is also reflected in the students who choose to enroll in our school. During the 2018-2019 school year, 18% of VCMS' students had an IEP, and we expect this percentage to increase in the 2019-2020 school year. We believe that one reason for this higher than average percentage of special education students is our commitment to differentiating instruction for all students, and providing learning that builds upon our students' prior knowledge. Additionally, having smaller class sizes than LAUSD middle schools, having an assistant teacher in every classroom, and teaching through hands-on projects, which excite and engage students, all work to provide a beneficial learning environment for all our students, including those with special needs. Our RSP and general education teachers work extremely closely to explore the ways in which our program can continue to offer special education students a place to succeed. RSP teachers are present at “kid talk” meetings, where teachers discuss successes and challenges students are facing in their classes and brainstorm solutions. In recent years, our special education team led highly successful professional development sessions for all staff focusing on strategies for differentiating instruction, current research on brain development among non-neurotypical teens, and best practices in co-teaching. Indeed, our efforts to be an inclusive community for all our students have made us a highly desirable site for students with special needs.

Evidence that our program is meeting the needs of all students is further evidenced when comparing our most recent reclassification rates for English Language Learners (ELL's) to the RSM. During the 2018-2019 school year, VCMS had a reclassification rate for ELL's of 32.8%.

In comparison, the RSM rate was 28.5% and the rate for the district was 22.8%. VCMS recognizes that reclassifying students before they begin high school is highly important to their success, and therefore engages in programs for EL students (described below) designed to increase their language acquisition. It is gratifying that our reclassification rate reflects the effectiveness of these programs.

Ares of Challenges and Plans to Improve

Even as we celebrate our successes, our school looks for ways to become stronger. In looking at SBAC data, one of the clearest areas of need to emerge involves the achievement gap for our Latino Students, low SES students, English learners, and students with IEP’s, as summarized in the chart below.

Table 4: Achievement Gap in Selected Subgroups for 2017-2018 CAASPP Scores
(Numbers represent percent of students scoring proficient or advanced.)

Source: LAUSD Data Set

	All Student s	Latino Student s	Gap	Low SES Student s	Gap	Student s with IEP’s	Gap	EL Student s	Gap
ELA	40.20	23.91	16.29	21.09	19.11	12.50	27.70	0.00	40.20
Math	28.00	16.30	11.70	13.61	14.39	4.26	23.74	11.32	16.68

While we understand that the achievement gap is a nationwide problem affecting nearly every school, we are nonetheless committed to doing everything we can to eliminate this problem at VCMS. Moreover, even as we celebrate the fact that our SBAC scores exceed the RSM in both ELA and math, we recognize that far too many of our students are not scoring at the proficient or advanced levels on this assessment.

Along with the need to improve and close the achievement gap in SBAC scores, our reclassification rate and percent of long-term English learners (LTEL’s) are areas in which we are working to improve. As mentioned above, during the most recent school year, our reclassification rate exceeded both the RSM and district. However, during the 2017-2018 school year, our reclassification rate was only 10.6% in contrast to the RSM of 28.5%. Additionally, 29% of our EL students were LTEL’s, as opposed to only 12.5% for the RSM. While we would point out that over 90% of these LTEL students were at risk of being LTEL’s or already LTEL’s when they arrived at VCMS, we take responsibility for all of our students, are committed to keeping our reclassification rate high and decreasing our LTEL rate.

Our efforts at improvement, in both SBAC scores and EL reclassification rates, fall into three broad categories; increased and meaningful use of internal assessments, data-driven professional development, and activities designed to enhance school culture and the social-emotional well-being of students. We believe that actions in these three categories, occurring in tandem, provide the greatest opportunity for going from where we are to where we want to be.

Increased Use of Internal Assessments. In order to improve, it is necessary for us to be keenly aware of the specific skills or standards that need to be retaught. To this end, VCMS has been working for the past several years to determine the best internal assessments to use, and the most

effective strategy for using these internal assessments. We currently use AIMSWeb fluency assessments in ELA and math, and NWEA MAPS Growth assessments in ELA, math, and 8th grade science. The assessments are each given three times per year in each applicable content area and grade.

Both the AIMSWeb and NWEA assessments are nationally norm-referenced, with the former focusing on fluency (in reading and math computation, respectively) and the latter focusing on common core standards in ELA and math and Next Generation Standards in science. Because they are norm referenced, we are able to determine how our students, including students who are part of our significant subgroups, compare with their peers nationwide on fluency and standards mastery. Learning can become more personalized based on the needs of individual students, and concepts in which the class is struggling can be re-taught or taught in a different way.

Having assistant teachers (AT's) in every classroom is critical for the meaningful use of internal assessment data. With two adults in the room, teachers and AT can use a co-teaching model. Sometimes the AT will work with a group of students whose assessments reveal a struggle with a certain concept. While he or she does this, the teacher can continue to a new lesson with the rest of the class or begin an extension activity. Other times, the roles are reversed, with the teacher focusing on those struggling while the AT teaches the main lesson. Still other times, when assessments reveal that only a small number of students understood a concept, the AT will do an extension activity with these students while the teacher re-teaches for the rest of the class, or vice versa. The benefit here is clear. Each student gets what he or she needs. No one is left behind while the class moves on; no one is forced to be re-taught a concept they already have mastered.

Professional Development. Even the best of internal assessments are of little use if they are not analyzed in high quality, data-driven professional development. After the administration of an assessment, teachers at VCMS share their data with colleagues during a whole staff PD. Using a data analysis protocol, the staff analyzes the data, looking for trends, red flags, and successes. This data analysis helps drive instruction by allowing individual teachers, or the whole school, to provide targeted instruction and intervention.

As an example, last year our analysis of the AIMSWeb ELA test revealed that our EL's, including LTEL's had higher reading fluency than one might expect, given their persistent status as English learners. Analysis of scores of those same students on the NWEA ELA assessment, however, revealed that the students were not comprehending that which they were reading. Student observation showed that the reason for this discrepancy was that fluent reading for these students required their cognitive focus. They were not fluent enough in their reading that decoding was automatic, allowing them to focus on comprehension. In fact, assessment showed that many of these students had reading levels dramatically below grade level. To address this problem, we created a before school intervention program our LTEL's (and some others), where the focus was on teaching targeted English reading skills. This was in addition to the EL instruction students receive during the school day. The class began with the consonant and short vowel sounds and built from there. The instruction was trained in Orton-Gillingham strategies and followed their recommended order: consonants, short vowels, c vs. k rule, digraph review, -ck, -tch, -dge practice, soft c and g, doubling rule, initial consonant blends.

Other students who were at a slightly high level. They began to review starting with c vs. k rule. From there, they reviewed the same concepts however this group practiced more "red words"

with this group. "Red words" are words that cannot phonetically be sounded out. These students practiced encoding and decoding words such as: about, Among, eye, where, whose, shoe, rough, though, thought, weren't, etc.

The program was piloted in the 6th grade. Based on the success observed both in our increased reclassification rate and from anecdotal teacher and student reports, it will be expanded to include all grades during the 2019-2020 school year.

As part of our professional development, we also examined our teaching practices, and in particular the teaching of academic reading in non-ELA classes. Our focus on academic reading was guided in part by an analysis of the NWEA ELA results, which revealed that comprehension of expository text was a relative weakness overall at our school. Successful expository comprehension practices can have a significant impact on SBAC scores in both ELA and math, since the SBAC test often requires students to read passages in the math test to answer word problems. Moreover, effective teaching of non-fiction reading comprehension, while important for all students, often has an outsized importance for traditionally underserved students, including those listed in Table 4 above.

An analysis of our teaching practices found that research-based strategies for teaching reading comprehension were being taught in ELA classes, but not in history, science, or math classes. We know, however, that many students who are English learners or have a disability are unable to transfer the knowledge learned in one class to another (Glynn-Owen, 2010). To this end, a professional development focus during the 2018-2019 school year was on teaching strategies for informational reading and writing in non-ELA classes. Our ELA teachers led this professional development, and each non-ELA teacher presented a lesson they conducted which had a reading comprehension focus. Colleagues provided the presenting teacher with feedback on the presented lesson.

In the area of math, we analyzed our NWEA scores as we did with ELA. Such an analysis found a relative weakness in geometry skills. Geometry skills are taught in all three grade levels. Beyond their importance as part of the common core standards, we view the teaching of foundational geometric concepts as an important job for middle school math teachers. All of our students will eventually take geometry, whether with us at VCMS or in high school, and it is crucial that they have the necessary skills to experience success in this course. Geometric skill development will be a focus of PD for math teachers during the 19-20 school year.

School Culture and the Development of Social-Emotional Learning Skills. The development of a positive school culture is directly related to academic improvement, as countless studies have demonstrated that students who are connected to, and feel safe at, their school will have greater academic success. To this end, VCMS focuses on the development of student culture and school connection both in individual classes and school-wide. We have been working for several years on developing a robust advisory program at our school, and we will continue this work in the coming years. Advisory serves as a place where students connect with peers and their advisory teacher, as well as a time when social-emotional learning skills, from grit and perseverance to teamwork and goal setting, can be explicitly taught in a meaningful way. Along with advisory, our entire school gets together for a weekly community meeting. Here, we make connections across classes and grades by playing games, and also reflect on where we are as a

school. We celebrate what is going well while acknowledging what is problematic, and making plans to improve.

Along with the focus on social emotional learning in advisory and community meeting, our school's commitment to intentional diversity plays a strong role in establishing our school culture. Some (for example Ford, 2005) have argued that it is impossible to close the achievement gap without addressing the degree to which students from diverse backgrounds do or do not feel comfortable in a classroom where they may be underrepresented. In light of this, our focus on anti-bias and social justice themes in our curriculum, represent another strategy for reducing the achievement gap.

The relationship between teacher and student is clearly of paramount importance in considering school culture, but we would be remiss if we did not consider the role parents play in this area as well. Each year, VCMS has two student-led conference periods. During this time, students present a conference to their parents or guardians in which they reflect on what they have learned, their successes and challenges, and the goals they have for the next several months. Presenting to parents provides an authentic audience for our students, and begins valuable conversations about what is or is not working for the student in their pursuit of academic excellence. Recognizing the importance of these events, we will be making a strong push for more parents to attend student-led conferences, primarily by better educating parents about these conferences and their value.

Indeed, focuses on conducting internal assessment, data-driven professional development, and the cultivation of a positive school culture are all critical to improving in the areas we need to. Focusing on any one of these without the others would be unlikely to yield success. Simply conducting assessments is useless without professional development to determine the meaning of the data collected. Professional development without a focus on data can quickly become useless in actually making an impact on student learning. Focusing only on school culture without considering academic data can create a school where students feel welcome, but are not appropriately challenged in their classes and therefore become frustrated or bored, both of which can lead to apathy. It is when all three of these are done together that change can happen. It is through the thoughtful use of all three that we will continue to improve VCMS.

Student Population to be Served

3. Target Population

The target population of VCMS are students in grades 6-8 looking for an innovative academic program in which process is more important than product, standards are taught through creative, authentic work, and communication and collaboration with a diverse group of learners is paramount.

VCMS operates in Van Nuys and serves students from several neighborhoods in the San Fernando Valley: Our school focuses on the greater Van Nuys area because of the site's location, but includes students from many other communities in the area. Although the school does not have specific boundaries and is open to all children in the State of California, the majority of students reside in five zip codes: 91405, 91402, 91343, 91411, and 91423.

The neighborhoods found in the above zip codes represent a genuine diversity of families. Some of these areas are 64% Hispanic/ Latino while others are 82% White. Socioeconomic status also ranges widely, with median household income at \$41,283 in zip code 91405 versus \$82,554 in zip code 91423 (U.S. Census, <https://factfinder.census.gov>). As shown in the table below, our school is diverse by design, and is intended to reflect the ethnic and economic diversity of the San Fernando Valley neighborhoods, as well as the City of Los Angeles at large. One of our design elements, the cornerstones of our vision, is to bring children from all backgrounds together to learn from and understand each other. In recent years, we have embarked on an ambitious plan to embed anti-bias and social justice education into our curriculum, and our executive director, principal, assistant principal, and three teachers have participated in a three-day anti-bias education professional development conference in New York. These administrators and teacher leaders now serve on a diversity working group committee alongside colleagues from Valley Charter Elementary School, tasked with the mission of meaningfully integrating such a program into the Valley Charter curriculum K-8.

Table 5: Diversity in Race/ Ethnicity, Socioeconomic Status, and Ability at VCMS
Source: VCMS Enrollment Paperwork

School Year	Enrollment	% Title I	% White	% Hispanic	% Amer. Indian/ Alaska Native	% African American	% Asian	% SpEd
2015-2016	229	49.0	25.8	61.6	0.4	3.9	4.4	20.1
2016-2017	250	52.8	35.5	55.6	0.4	2.3	4.6	19.3
2017-2018	307	57.2	36.0	56.0	0.4	2.9	4.4	17.6
2018-2019	325	45.1	33.2	59.4	0.0	2.8	3.4	18.1

Reaching at-risk students is a priority for VCMS. Currently, nearly 50% of our students are low-income and/or Title 1 eligible (source: CALPADS). While many charter schools have been criticized for neglecting their responsibility to meet the needs of students with IEPs, the percentage of VCMS students with IEPs is currently above 17% during the 18-19 school year, and is expected to rise next year, exceeding the percentage found at all local LAUSD and charter schools.

4. Enrollment Plan

VCMS seeks to increase its current enrollment (see table below) over the next six years, but will never become so large that we sacrifice our mission to create a small learning community that is individualized and focuses on the whole child.

Table 6: VCMS Enrollment Plan

Grade	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
6	128	150	150	150	150
7	120	128	150	150	150
8	96	120	128	150	150
Total	344	398	428	450	450

Goals and Philosophy

5. Mission Statement

Our mission and vision statements reflect our beliefs about what is best in education, and standards we strive to meet in our community.

Our mission statement. The mission of Valley Charter Middle School is to provide a holistic and exceptional education to a diverse student body, cultivating in students intellectual curiosity, collaboration, respect for others, and a passion for excellence.

We fulfill this mission by:

- Providing a constructivist, inquiry-based learning environment in which teachers guide students through active learning processes that develop conceptual understanding as well as self-knowledge.
- Implementing a project-based curriculum that develops academic, interpersonal, intrapersonal and artistic skills.
- Creating a program that develops students to be creative and critical thinkers, who are unafraid to question, challenge and express themselves; and that prepares students to lead and to serve the greater good as members of a democratic society and as citizens of our growing global community.
- Setting the highest individualized standards for all students, so our students realize their potential and can compete with the best students in the country.
- Creating a school culture that values character and citizenship as well as achievement, and process as well as product.
- Giving faculty time, resources, autonomy and a collaborative atmosphere to continually develop their skills, research, create, evaluate and refine project-based curricula, and reflect on the learning of their students.
- Communicating regularly with students' families, seeking family involvement in the life of the school, and continually reaching out to all families in the neighborhood to ensure a diverse and inclusive learning community.

Our vision statement. The vision of Valley Charter Schools is to enable students to become thinking, fulfilled, caring individuals with sensitivity to, and understanding of, the diverse environment and society in which we live. We believe all children deserve a meaningful education that realizes their potential and by which students discover their own unique talents and gifts. We believe learning happens best when students work across disciplines, solve new problems, work in teams, take initiative, and responsible risks. At Valley Charter Schools, teachers, not textbooks, know students best; therefore, our collaborative teachers drive instruction. We strive to develop and communicate best practices, and mentor others as we have been mentored. We believe communities can come together to build great schools where academic excellence is available to all children.

6. Definition of an Educated Person for the 21st Century. VCMS' definition of an "educated person in the 21st century" draws upon concepts of global competence and Howard Gardner's theory of Multiple Intelligences (1983). This vision is reinforced in our curriculum design, our communication with families, and our mission and vision.

To us, the concept of ‘global competence’ includes the following qualities and actions:

- Students can work effectively in different settings. They have an awareness of the major currents of global change and the issues arising from such changes. They have a capacity for effective communication, which crosses cultural and linguistic boundaries, and a personal adaptability to diverse cultures (Brustein, 2009).
- Students have an open mind as they actively seek to understand cultural norms and expectations of others. They utilize the knowledge they gain to interact, communicate and work effectively outside their environment (Hunter, 2006).
- Students have intercultural adroitness (behavioral aspect focusing on communication skills), intercultural awareness (cognitive aspect of understanding cultural differences), and intercultural sensitivity (focus on positive emotion toward cultural difference) (Deardorff, 2006).

We believe an educated person in the 21st century is one who possesses the skills and attitudes encompassed by global competence as described above. We also value the multiple ways of knowing and learning that Howard Gardner puts forth in his seminal work *Frames of Mind* (1983). Below we have correlated our definition of a person in the 21st century with Gardner’s multiple intelligences:

- Effectively communicates: writes clearly, listens actively, questions intently, reads critically, expresses oneself honestly and respectfully in a variety of mediums, (Interpersonal, Intrapersonal, Musical and Linguistic Intelligences)
- Continually learns: seeks to develop skills and acquire knowledge in all realms and at all times, obtains multiple perspectives, maintains an open-mind and a willingness to change in response to data, reflects on new experiences and information (Interpersonal, Intrapersonal, Logical-Mathematical, Linguistic, Naturalistic Intelligences)
- Assertively perseveres: when problems cannot be solved readily or when faced with criticism and disappointment, maintains focus and self-discipline, works through struggles and setbacks, attempts trials, examines errors, tries harder, tries differently, tries again (Logical-Mathematical, Visual-Spatial, Bodily-Kinesthetic Intelligences)

Students who are educated at a school such as VCMS are not just learning curriculum, but they are learning skills that will contribute to their success in college, a career, and life in general. For example, by developing effective communication skills, students will be prepared to confidently share their thinking with classmates in college or their colleagues at work. Students who are accustomed to learning alongside people from different backgrounds will be prepared to work with a diverse group of people locally or internationally. Similarly, we are preparing students who understand the value and limitations of technology. They will be able to communicate information they researched on the computer through a type-written document, but they will also understand the importance of in-person communication. They will use technology as a primary source for research, but will not assume that something is true simply because it is online, nor will they believe that all websites are equally reliable and trustworthy.

7. Learning Theories. Great care, consideration, and research went into choosing the learning theories and concepts that function as the cornerstones of our curriculum. The primary theory that we espouse is constructivism and the innovative features of our curriculum have been intentionally chosen because they align with this theory. VCMS also values the concepts of

project-based learning, which is closely aligned with constructivism, data-driven teaching, and social-emotional learning. We feel the combination of these approaches facilitate student mastery of both state standards and social-emotional learning goals because they align to the needs of the community we serve.

Constructivism. VCMS teachers implement learning experiences grounded in constructivist learning theory. The constructivist approach to teaching and learning invites students to experience concepts “as a process of knowledge generation in which prior knowledge is elaborated and changed on the basis of fresh meanings negotiated with peers and teacher” (Frensham, Gunstone, and White, 1995, p.51).

How People Learn supports the scientific basis for constructivism in its section on active learning:

New developments in the science of learning also emphasize the importance of helping people take control of their own learning. Since understanding is viewed as important, people must learn to recognize when they understand and when they need more information. What strategies might they use to assess whether they understand someone else's meaning? What kinds of evidence do they need in order to believe particular claims? How can they build their own theories of phenomena and test them effectively?

Through our use of the constructivist approach VCMS is committed to providing learning experiences that challenge students to create, question, analyze, and synthesize information to a higher level of meaning.

Numerous independent researchers have documented the success of the constructivist model of education with historically under-served populations, including at such schools as North Oakland Community Charter School in Oakland and University of Houston Charter School in Texas. These schools and countless others have long demonstrated that when children from disadvantaged neighborhoods, including recent immigrants and ELs, are given the opportunity to attend a school like VCMS, their test scores and more importantly their self-confidence and whole development excel. (Amaral, 2002; Mester, 2008; Freire, 1995.)

Project-based learning. A constructivist approach combined with Project-Based Learning (PBL) is an effective way to develop deep and enduring conceptual understanding. VCMS defines PBL as a curricular and pedagogical strategy that organizes learning around projects. In this framework, students are involved in planning, problem-solving, decision-making, and investigation. Students work cooperatively over extended periods of time to reflect on their work and receive and incorporate feedback. Through Project Based Learning, students are given meaningful learning opportunities that are based in the real world, have real life applications, and teaches them 21st century skills. “PBL is one of the best ways to be sure 21st century skills are explicitly taught, because well-designed projects require them” (Hallerman, 2011). VCMS values 21st century skills including critical thinking, problem solving, collaboration, communication, synthesis of information, and creativity. PBL aligns well with a standards-based curriculum. Educators in several research studies have demonstrated that standards can easily be met using the project-based approach, and have found that even some standards that had not been included in the original lesson plan were addressed when the project was implemented (Dixon 2001). Many ideas embodied in the Common Core State Standards, including the weaving of

literacy and communication into all curricular areas, and a focus on explaining one's thinking process are fundamental in both constructivist and project-based learning.

VCMS' teachers create their own projects and lessons that are aligned to CCSS. The unit begins with teachers presenting a driving question to their students. This question is developed with the student learning outcomes in mind and is based on the CCSS and content standards. Then, students spend weeks working individually or in small groups to answer the question. While working on a project, students have a variety of experiences, including independent and small group work, observations and experiments, concrete and abstract thought, and instruction and inquiry. Through this form of project-based instruction, VCMS creates a learning environment in which teachers are facilitators and students are learners and doers.

For ELs and economically disadvantaged students, PBL takes on additional importance. The collaborative activities inherent to PBL provide ELs with systematic opportunities to improve their English proficiency in the context of authentic peer communication. Group interactions with the focus on the task rather than the language provides a nonthreatening opportunity for the second language learner to listen to other children's discourse and, once confident, to contribute to the conversation (Amaral et al., 2002; Echevarria et al., 2004). Research also indicates that the use of projects for the education of children living in poverty (1) increases their motivation for learning academic skills and the opportunity to meaningfully practice these skills, (2) helps children see themselves as learners and problem solvers and develops their self-esteem, (3) strengthens positive relationships between teachers and families, and (4) helps families become aware of resources available in their communities (Helm and Lang, 2003).

Data-driven instruction. Our instructional program is driven by student data. At VCMS, this means that doing what Paul Bambrick-Santoyo refers to as turning “the school focus from ‘what was taught’ to ‘what was learned’” (Bambrick-Santoyo, 2010, p.xxxv). The principal engages teachers in conversations, reflection, and planning based on student achievement data. In order to support this process, VCMS systematically collects and analyzes student data on key proficiency indicators. Data is collected through the implementation of a robust set of diagnostic and norm-referenced benchmark assessments and provide continuous information about student progress towards standards. For example, VCMS English teachers use the Teachers College Reading and Writing Project (TCRWP) Reading Assessments (Levels A-Z) to assess students' independent reading levels and teachers in all content areas use NWEA Maps assessments to assess progress, shine a light on areas of weakness, and determine specific standards in which students need more support. All of these assessments are used at least three times a year as benchmarks for student progress and are the drivers of curricular planning.

During weekly professional development time, data are analyzed. Teachers may meet by grade level, content area, or as a whole group to examine data and make data-driven curricular decisions. The principal and teachers monitor the progress of all subgroups. Any problematic data trends are directly addressed through meetings with individual teachers, and through the examination of classroom practices. Teachers use the data to design curriculum to help raise the achievement of all students, and close any gaps that may exist.

Social-emotional learning. As students enter middle school, they are typically asked to move from an environment rich with teacher-based support to one in which they are expected to be more independent and self-sufficient (Goldrich, 2014). All of this occurs at exactly the same time

that adolescents are experiencing the physical and emotional changes of puberty, which only compounds the struggle of succeeding in a less emotionally supportive environment (Patrick & Drake, 2009). These challenges underscore the importance of social emotional learning (SEL) at the middle school level.

Sebanc et al. (2016) considered the impact of friendships on transitions. Prior research had suggested that negative peer relations may impede academic success (Poulin, et al., 1999) and Sebanc et al. set out to see if these students who self-reported having poor peer relations had a lower GPA in the sixth grade. The authors found that there was indeed such a correlation between poor peer relations and GPA, leading them to conclude that schools should pay close attention to the peer groups within their sixth grade classes. Akos' (2004) qualitative study echoed the results of the quantitative work of Sebanc et al. His analysis of student writing samples found that eighth graders, when asked to give advice to an incoming middle school student, said they would tell them that it was most important to "manage and maintain friendships" (p. 1). In light of this, VCMS actively engages in activities to promote peer to peer relationships. We use heterogeneous grouping in project that require collaboration and teamwork. Students are explicitly taught skills for working together, arriving at consensus, and resolving group conflict.

Student/ teacher relationships. In addition to student-student relationships, researchers have studied the relationships between students and teachers. Holas and Huston (2012) found that the presence of teachers who were perceived as caring, and invested in student success, was a key factor in determining which students experienced academic success in middle school. Ford (2005) expands the student/ teacher relationship to advocate not only for teachers who are caring and invested, but also culturally competent. She argues that in order for students to be successful, they need "learning environments [that] are safe, welcoming, and responsive to their needs" (p. 29). The author makes the point that the teacher is the person most able to create such an environment for the students in his or her class. This is best accomplished when the teacher sees students as individuals with different backgrounds and experiences.

Recognizing the diversity of students in our classes, Ford (2005) argues, is a first step in creating the type of classroom in which students can thrive. At VCMS, we agree, and have taken a number of steps both to build student to teacher relationships and increase the cultural competence of our staff. Each student at our school is assigned an advisory teacher who is responsible for the teaching of skills such as goal setting, team building, conflict resolution, study skills, and cultural awareness. In addition, advisory teachers build relationships with students beyond those based on academics alone. To increase our staff's cultural competence, we have established a diversity working group tasked with integrating anti-bias, social justice education in all grade levels and content areas.

8. Requirements of Education Code 47605(b)(5)(A)(ii)

In the chart below, local priorities refer to the Valley Charter School design elements. These design elements were created by a team of board members, administrators, teachers, and parents from Valley Charter Elementary and Middle Schools, and represent the cornerstones of our beliefs as an organization:

Design Element 1: We value process over product. Learning is experiential, interdisciplinary, collaborative, and relevant to students' lives.

Teachers design and develop their own standards-based curriculum and constantly retool their practices to better meet the unique needs of their students. Working as a team, teachers facilitate student collaboration with peers to gain more than they would have individually. The learning experience is accessible at any academic level as teachers and staff individualize the process. All Valley Charter School stakeholders believe that focusing on the learning experience leads to a love of learning. Knowledge is a journey that never ends.

Design Element 2: Social emotional development and self-advocacy are the foundational principles of student learning and personal growth.

We build experiences through a student-centered curriculum that focuses on cultivating safe, secure relationships. These experiences and relationships develop students' confidence, self-awareness, empathy, and perseverance. Discussion, self-expression, and conversation are vital to the growth of these personal attributes and life skills. Our students are reflective thinkers who take responsible risks and learn from consequences.

Design Element 3: We develop effective communicators who are able to connect with varied audiences.

We develop strong speaking, writing, and listening skills. We establish an environment that fosters independence where students are empowered to express themselves. Students who communicate and advocate for themselves in any environment experience social, emotional, and academic success.

Design Element 4: Learning is a social process accomplished through authentically collaborative work.

Teachers create purposeful groupings where each student is actively engaged and has a role to play. These experiences allow students to respectfully listen and question information, ideas, and perspectives. Decision making and negotiating are embedded in the collaborative work. Students share collective responsibility and accountability.

Design Element 5: We are committed to building intentionally diverse schools. Our core values and foundational principles are authentically realized through this diverse community.

Our community reflects varied races, ethnicities, learning styles, languages, achievement levels, family structures, socio-economics, cultures, and self-identities. Students who learn in a diverse environment build compassion, empathy, and understanding of others' perspectives. Our backgrounds and skills deepen students' experiences. This prepares them to navigate and lead in the world in which they live.

LCFF STATE PRIORITIES

GOAL #1

VCMS students in grades 6-8 will demonstrate improved proficiency in English/Language Arts state standards that are measured by the California Assessment of Student Performance and Progress (CASSPP) and test participation rate will be at least 95%.

Related State Priorities:

- | | | |
|---------------------------------------|---------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> 1 | <input checked="" 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"/> 3 |
| <input type="checkbox"/> |

Specific Annual Actions to Achieve Goal

Action #1: We will continue to provide professional development for all new and continuing ELA teachers in Readers and Writers Workshop.

Action #2: VCMS will continue to provide professional development for all content area teachers with a focus on reading and writing across the curriculum.

Action #3: Professional development will focus on the teaching of academic language in on ELA classes.

Action #4: Assistant teachers will provide targeted small group instruction in reading and writing skills for students not meeting standards.

Action #5: We will promote an attendance rate of 97% for our chronically absent student to ensure these students have full access to the curriculum, thus impacting their achievement. For chronically absent students, parents will be called after the 5th absence to discuss the importance of coming to school every day, and parent conferences will be held after the 7th absence to develop a plan of action to ensure students do not continue to miss school.

Expected Annual Measurable Outcomes

School-wide CAASPP ELA proficiency scores will increase by 2%.

Metric/Method for Measuring: SBAC Scores

APPLICABLE STUDENT GROUPS	Baseline	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
All Students (Schoolwide)	40%	42%	44%	46%	48%	50%
English Learners	0%	2%	4%	6%	8%	10%
Socioecon. Disadv./Low Income Students	21%	23%	25%	27%	29%	31%
Students with Disabilities	13%	15%	17%	19%	21%	23%
Latino Students	24%	26%	26%	26%	26%	28%
White Students	70%	72%	74%	76%	78%	80%

LCFF STATE PRIORITIES

GOAL #2

VCMS students in grades 6-8 will demonstrate improved proficiency in math state standards that are measured by the California Assessment of Student Performance and Progress (CAASPP) and test participation rate will be at least 95%.

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 type="checkbox"/> 6 | |

Local Priorities:

-

Specific Annual Actions to Achieve Goal

Action #1: Teachers will have professional development focused on integrating math across the curricula, with a goal of showing students the real-world applications of the math content they are learning.

Action #2: Teachers will utilize a co-teaching model in which the teacher and assistant teacher will work with small groups with differing needs as identified through and analysis of internal data and assessments.

Action #3: Math teacher will administer the NWEA MAPS Program Assessment three times per year and use data from these assessments to guide instruction and intervention.

Action #4: We will promote an attendance rate of 97% for our chronically absent students to ensure these students have full access to the curriculum, thus impacting their achievement. For chronically absent students, parents will be called after the 5th absence to discuss the importance of coming to school every day, and parent conferences will be held after the 7th absence to develop a plan of action to ensure students do not continue to miss school.

Expected Annual Measurable Outcomes

School-wide CAASPP Math proficiency scores will increase by 2%.

Metric/Method for Measuring: SBAC Scores

APPLICABLE STUDENT GROUPS	Baseline	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
All Students (Schoolwide)	28%	30%	32%	34%	36%	38%
English Learners	11%	13%	15%	17%	19%	21%
Socioecon. Disadv./Low Income Students	14%	16%	18%	20%	22%	24%
Students with Disabilities	4%	6%	8%	10%	12%	14%
Latino Students	16%	18%	20%	22%	24%	26%
White Students	51%	53%	55%	57%	59%	61%

LCFF STATE PRIORITIES

GOAL #3

VCMS' reclassification rate of English Learners (EL) will increase so that it meets or exceeds the reclassification rate of resident schools our students would attend with the goal of reclassifying all EL student by their 8th grade year.

Related State Priorities:

- | | | |
|---------------------------------------|---------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 4 | <input checked="" type="checkbox"/> 7 |
| <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 8 |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 6 | |

Local Priorities:

- | |
|---------------------------------------|
| <input checked="" type="checkbox"/> 3 |
| <input checked="" type="checkbox"/> 4 |

Specific Annual Actions to Achieve Goal

Action #1: Professional development will focus on writing across the curriculum, including scaffolding strategies for English Learners.

Action #2: Funds will be allotted for assistant teachers (AT) to work with students five hours per day. The assistant teachers will be able to meet with English Learners to provide additional support as determined by teachers. Additionally, the AT's will provide sheltered English instruction for newcomers and long-term English learners (LTELS).

Action #3: English learners will be enrolled in a sheltered English class with smaller class sizes that the school average to allow for more individualized instruction in order to further target student needs.

Expected Annual Measurable Outcomes

Outcome #1: We will increase our reclassification rate by 2% based on ELPAC scores and CAASPP scores when applicable.

Metric/Method for Measuring: Reclassification Rates

APPLICABLE STUDENT GROUPS	Baseline	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
All Students (Schoolwide)	*	*	*	*	*	*
English Learners	32.8%	34.8%	36.8%	38.8%	40.8%	42.8%
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	*	*	*	*	*	*
White Students	*	*	*	*	*	*

LCFF STATE PRIORITIES

GOAL #4

All VCMS students identified as part of our significant subgroups will increase their reading comprehension, fluency, and fluency of informational text.

Related State Priorities:

- | | | |
|---------------------------------------|---------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 4 | <input checked="" 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 checked="" type="checkbox"/> 5 |
| <input type="checkbox"/> |

Specific Annual Actions to Achieve Goal

Action #1: Teachers will develop specific annotation strategies and tools for analyzing text to support students when reading informational text across the curricula.

Action #2: We will allot funds for substitute teachers, so that teachers have release time to visit classrooms that are exemplars of effective informational text strategies.

Expected Annual Measurable Outcomes

Student scores on the NWEA informational text assessment will increase to the 50th percentile by the Spring, 2020 administration. (Note: NWEA Maps does not disaggregate by English Learners, low income, or students with disabilities)

Metric/Method for Measuring: NWEA Assessment Scores (percentiles)

APPLICABLE STUDENT GROUPS	Baseline	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025
All Students (Schoolwide)	36th	50th	63rd	70th	77th	84th
English Learners	*	*	*	*	*	*
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	16th	20th	24th	26th	30th	34th
White Students	61th	65th	69th	73rd	77th	80th

LCFF STATE PRIORITIES

GOAL #5

All VCMS students increase their geometry skills.

Related State Priorities:

- | | | |
|---------------------------------------|---------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> 1 | <input checked="" 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 checked="" type="checkbox"/> 5 |
| <input type="checkbox"/> |

Specific Annual Actions to Achieve Goal

Action #1: Funds are allotted for assistant teachers to work with students five hours a day. During math, these assistants are able to practice math facts with students. They also mirror lessons, so that they are teaching to a small group what the teacher is teaching to the whole class. This enables them to give immediate feedback to struggling students and to track their progress with the concept development and application of math facts.

Action #2: Math teachers will be allotted time for collaboration and vertical planning to ensure that geometry concepts are taught in grades 6th - 8th.

Expected Annual Measurable Outcomes

Students will score at the 50th percentile in the NWEA geometry assessment for the Spring, 2020 administration. (Note: NWEA Maps does not disaggregate by English Learners, low income, or students with disabilities)

Metric/Method for Measuring: NWEA MAPS Assessment Growth (percentiles)

APPLICABLE STUDENT GROUPS	Baseline	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
All Students (Schoolwide)	36th	57th	63rd	70th	77th	84th
English Learners	*	*	*	*	*	*
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	13th	18th	23rd	28th	33rd	38th
White Students	58%	60th	62nd	64th	65th	67th

LCFF STATE PRIORITIES

GOAL #6

All VCMS students will develop their social-emotional competencies in the areas of self-management, social awareness, growth mindset, grit, and self-efficacy. Students in grades 6-8 will be able to reflect on these skills and competencies through a nationally normed social-emotional learning survey.

Related State Priorities:

- | | | |
|----------------------------|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 7 |
| <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 5 | <input checked="" type="checkbox"/> 8 |
| <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 6 | |

Local Priorities:

- | |
|---------------------------------------|
| <input checked="" type="checkbox"/> 1 |
| <input checked="" type="checkbox"/> 2 |

Specific Annual Actions to Achieve Goal

Action #1: Empower and support teachers in their work as they focus on improving student learning and developing a supportive and engaging curriculum that is integrated and interdisciplinary.

Action #2: Teachers will be provided grade level planning time to develop an advisory program focusing on a variety of topics including self-efficacy and grit.

Action #3: We will implement a project-based educational model that focuses on a student-centered, constructivist approach to teaching and learning, providing students with the tools for academic, social-emotional, creative and physical mastery.

Action #4: The school psychologist will provide counseling services and coordinated resources to high need student, including English Learners and low income students.

Expected Annual Measurable Outcomes

Outcome #1: Grit results will increase to the 40th - 59th percentile. Self-efficacy results will increase to 40th - 59th percentile.

Metric/Method for Measuring: Student Self-Assessment of SEL Concepts Inventory

APPLICABLE STUDENT GROUPS	Baseline	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
All Students (Schoolwide)	40%	64%	69%	74%	79%	84%
English Learners	*	*	*	*	*	*
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	*	*	*	*	*	*
White Students	*	*	*	*	*	*

Outcome #2: VCMS' suspension rate will continue to be below 1%

APPLICABLE STUDENT GROUPS	Baseline	2020-21	2021-22	2022-23	2023-24	2024-25

All Students (Schoolwide)	<1%	<1%	<1%	<1%	<1%	<1%
English Learners	*	*	*	*	*	*
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	*	*	*	*	*	*
White Students	*	*	*	*	*	*

Outcome #3: VCMS' expulsion rate will continue to fall below 1%

APPLICABLE STUDENT GROUPS	Baseline	2020-21	2021-22	2022-23	2023-24	2024-25
All Students (Schoolwide)	0	<1%	<1%	<1%	<1%	<1%
English Learners	*	*	*	*	*	*
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	*	*	*	*	*	*
White Students	*	*	*	*	*	*

LCFF STATE PRIORITIES

GOAL #7

VCMS will offer a variety of ways for families to be engaged in their child's school experience.	Related State Priorities:		
	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 7
	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 5	<input type="checkbox"/> 8
			Local Priorities:
			<input checked="" type="checkbox"/> 3
			<input checked="" type="checkbox"/> 5

Specific Annual Actions to Achieve Goal

Action #1: Our principal will provide helpful parent education opportunities that will focus on social-emotional learning, parenting, and home-school connections.

Action #2: We will host parent meetings in English and Spanish, so that parents have tools to support their child's development regardless of his/her home language. These meetings draw on the expertise and skills of the principal, assistant principal, and the office staff.

Action #3: During the 2018-2019 school year, we reached out to families to hear what volunteer opportunities are the most important to them. We also thought about which forms of engagement are important for student success from the schools standpoint. Looking towards next year, we will use this

information to create a menu of ways for families to be engaged that honors the contributions of our diverse families.

Action #4: Recognition of parent volunteers through volunteers of the month and an end of year volunteer appreciation breakfast.

Expected Annual Measurable Outcomes

Parents attendance at conferences will meet or exceed 80 percent in all grade levels.

Metric/Method for Measuring: Conference attendance rates

APPLICABLE STUDENT GROUPS	Baseline	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
All Students (Schoolwide)	63%	85%	90%	95%	95%	95%
English Learners	*	*	*	*	*	*
Socioecon. Disadv./Low Income Students	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
Latino Students	*	*	*	*	*	*
White Students	*	*	*	*	*	*

9. How These Goals Enable Students to be Self-Motivated, Competent, Life-Long

Learners In addition to specific academic benchmark goals based on the CCSS, the California Content Standards, and new Next Generation Science Standards, VCMS will work towards:

- Developing self-motivated learners: VCMS believes that self-motivation requires students to internalize the benefits of learning. We will, therefore, seek to connect students’ personal interests and questions with curricular and extra-curricular opportunities. Students will be empowered to choose community service and academic projects that have personal meaning to them. By beginning with each student’s interests and questions, VCMS can provide students with the means of making connections between their studies, themselves and life beyond the school’s walls. Furthermore, VCMS’ emphasis on Global Citizenship throughout the program will foster student appreciation for the many positive impacts their skills and abilities can have on the world.
- Developing competent learners: The backward design approach that teachers will take in creating lessons and curriculum, coupled with data driven instruction efforts that guide teachers in refining their pedagogy in light of student assessment information, will ensure that learning objectives are met by students. In addition, the constructivist and project-based teaching methodologies require students to reflect after formative assessments, a practice considered essential in improving student’s understanding of the way they learn best. In these ways, students will develop a solid foundation of knowledge and a competence in learning upon which they can build in the future.
- Developing lifelong learners: A lifelong learner is one who has both the interest in and the ability to continue to learn outside a formal school setting. Our program as described above in the context of developing competent and self-motivated learners is also expected to

inspire lifelong learning. VCMS' emphasis on international understanding and responsible citizenship throughout the program will further foster student appreciation for the many positive impacts their skills and abilities can have on the world.

Additional academic goals include mastery of the Common Core State Standards and the school's definition of an educated person. All curriculum designs are directly aligned to the CCSS. The standardized testing required by the State of California will be just as much a part of our assessments as our faculty-constructed rubrics, project goals, student portfolios, and student exhibits. In addition, character development and social responsibility are inherent to our entire program and will be assessed through student and teacher evaluations.

Instructional Design

Valley Charter Middle School is a unique educational environment where instruction is delivered in a variety of ways. Educators at VCMS employ teaching strategies that include direct instruction, student-led discussions, cooperative and collaborative learning, and inquiry-based activities as a basis for learning and solving authentic problems. The foundation of our curricular decisions and the motivation behind our selection of curricular materials and programs are steeped in our belief that children learn best in a rigorous, student-centered and Project Based Learning environment. With the Common Core State Standards as our framework, our constructivist approach to teaching and learning guides students to become active and successful learners.

10. Overall Curricular and Instructional Design. VCMS is dedicated to developing each student's potential and to providing an intellectually challenging, experiential learning environment. Each classroom is staffed with an appropriately credentialed teacher and assistant teacher, who is in the classroom for five hours a day. Our project-based educational model focuses on a student-centered, constructivist approach to teaching and learning that reflects the values of our organization, including the following:

- We value process over product. Learning is experiential, interdisciplinary, collaborative, and relevant to students' lives.
- Social emotional development and self-advocacy are the foundational principles of student learning and personal growth.
- We develop effective communicators who are able to connect with varied audiences.
- Learning is a social process accomplished through authentically collaborative work.
- We are committed to building intentionally diverse schools. Our core values and foundational principles are authentically realized through this diverse community.

We utilize a variety of instructional methodologies to ensure all students are achieving academic success and developing the qualities VCMS deems essential for a fully educated person. The fundamental strategies include:

1. Constructivism
2. Project Based Learning (PBL)
3. Data driven instruction
4. Social-Emotional Learning

11. Curriculum and Instruction. Our curriculum is designed and revised to reflect the values that were enumerated above. The examples for each subject that are detailed below are just some of the innovative and rigorous ways that teachers address Common Core State

Standards. For each subject, we have included innovative curricular components, references to enrichment and intervention, and resources that are utilized to strengthen the program.

English language arts, English language development, mathematics, history/social science, and science are considered core classes. Elective, exploratory, advisory, and physical education classes are non-core. Visual and performing arts are embedded into core and non-core classes.

English Language Arts (Core)

At VCMS, we want our children to view themselves as readers and writers, not just in the classroom, but in their daily lives. Because of this we have adopted a workshop approach to teaching reading and writing that is more authentic than using a traditional scripted program. We also value having a balanced approach to our literacy instruction. To us, this means having a dedicated time for reading, writing, and word work. Our language arts instruction is both explicit, through mini-lessons and direct instruction, and implicit, through read alouds and partner work. Children are constantly developing their language skills through their work in every subject. Below we have highlighted some of the key components of our balanced literacy instruction.

Reading Workshop. Reading is taught through reading workshop. This approach to teaching uses a workshop structure where students are taught reading strategies that they then apply to independent books that are on their differentiated reading levels. We design this time to be both a print rich and talk rich part of our balanced literacy program. We value the opportunity for our “readers to talk about their books in genuine ways” (Collins, 2004, p. 21). Students work to push themselves to the next level of reading with the support from their teacher. The ability to have students reading at their own independent level allows for a multitude of both intervention and enrichment opportunities. Students learn to pick “just right” books based on level and interest and they learn to challenge themselves in stamina, fluency, and comprehension (Calkins, 2010, p. 6). They also work to replicate this work outside of the classroom so that they are building a true reading life. Stamina and engagement are key to this sense, “For children to become better readers, they must read for long stretches of time, with just-right material, joyfully engaged in their reading. Without engagement during reading, this ‘time spent on reading’ doesn’t count” (Serravallo, 2010, p. 20). Each English classroom has a diverse library that houses books at all levels for students to be able to read at school and home. The goal of reading workshop is to grow independent readers that can not only decode their books, but understand them at an inferential level.

To create their own units, teachers look at the Common Core State Standards and then create units and teaching points that address these reading standards. In addition to looking at the standards, teachers consider the reading units developed at Columbia University Teachers College Reading and Writing Project and modify them to fit the needs of each individual class. Teachers backwards plan by first stating their goals for the unit of study and then developing individual teaching points that lead their students to accomplish these goals. At the middle school level, there is still some focus on reading habits, but the focus becomes primarily on genre studies. Units might be based on comprehension strategies, author studies, genre studies, or the development of student identity as readers. Examples of units covered include: Readers Build Good Habits, Readers Use Strategies to Figure Out Words, Readers Think and Talk About Books to Grow Ideas, Reader Use Word Power to Read and Understand their Books, Readers Pursue Their Interests in Books and Other Texts, and Readers Make Plans for Their Reading

Lives (Collins, 2004, p. 46). Through small strategy group work that reinforces these teaching points and one-on-one conferences, teachers can be continually assessing students' mastery of these reading standards. We use the TCRWP Reading Assessments. These normed assessments allow us to assess students' individual levels in fluency, and literal and inferential comprehension. Teachers keep copious notes on each child. They record all teaching points taught to the students in both small group and one-on-one conferences. Teachers use data collected through observations and running records to plan future mini-lessons, small group and individualized instruction.

Read Aloud. There is indisputable research that reading aloud to children is vital and in a seminal report the U.S. Department of Education even went so far as to write, "The single most important activity for building knowledge required for eventual success in reading is reading aloud to children" (Anderson, Hiebert, Scott and Wilkinson, 1985, p. 23). For this reason, reading aloud is an integral part of our curriculum at all grade levels. We have diverged from the traditional read aloud experience, where the teacher simply reads a chapter book aloud while the students passively listen, and we have started using interactive read alouds. This innovative approach to whole class read alouds has been developed by educational researchers such as Lester Laminack and Reba Wadsworth (2006), as well as Lucy Calkins (2001).

Interactive read aloud invites the students into a story with the teacher. During this time the teacher implicitly models how to use reading strategies by using an authentic reading experience, as opposed to a formal mini-lesson in workshop (Hoyt, 2007). The read aloud starts with a book introduction that briefly previews the skills students will use while listening. The teacher will begin by reading a page or two of the book and then stop to model a skill. For example, she might think aloud about what the character's actions reveal about his personality. After modeling the skill, she continues to read and stops soon thereafter to have the children try this same skill by either writing in their notebooks or by turning and talking to a partner. While students are writing or talking, the teacher is able to circulate and coach students who need intervention. She is also able to use this time as an informal assessment to see how students are progressing with a skill. Sometimes the skills practiced in read aloud will be a preview of upcoming work or a review of skills taught months ago. By balancing students' experience with skills the teacher is able to assess the needs of her students. When a teacher notices gaps in a student's proficiency she can also make a note to meet with him/her during a reading workshop conference.

Careful planning is done to ensure that the skills and strategies practiced during interactive read aloud are consistent with the Common Core State Standards (CCSS), especially those in reading and listening and speaking. As opposed to a teacher who simply selects a chapter book and reads aloud one chapter a day, using interactive read alouds requires the teacher to plan places where she will stop and model, how support will be gradually released, and how to coordinate this work with other components of her balanced literacy program. This last part is perhaps most crucial to ensuring that the teacher is properly implementing the CCSS. By aligning the work done in reading workshop, interactive read aloud, and writing workshop, the teacher is not just exposing children to a standard, but truly teaching all aspects of that standard in a variety of contexts. Through read alouds teachers are also able to incorporate science and history-social science content into the literacy block. Teachers often select expository nonfiction and historical fiction books that expose children to the content standards in a different way.

Fluency/Shared Reading. Fluency is the ability to read a text accurately and effortlessly at an appropriate rate and with meaningful phrasing and intonation. Maryanne Wolf and Tami Katzir Cohen (2001) have further defined fluency as a “developmental process that involves all components of reading acquisition, including phonemic awareness and decoding skills, as well as a strong vocabulary, knowledge of grammatical functions, and knowledge of word roots and parts.” Our experience has confirmed what we know from research - there is a direct correlation between fluency and comprehension (Fuchs, Fuchs, Hosp, and Jenkins, 2001). Students who lack fluency often struggle to meet grade level comprehension expectations. Students who are not fluent readers often spend much of their energy decoding words, which leaves them with little time and energy to comprehend what they are reading. Consequently, it plays an important role in our curriculum as we address the CCSS reading foundational skills.

Fluency needs are addressed during small group work and one on one instruction. Teachers use a variety of informal assessments and tracking systems to monitor students’ progress. We utilize a nationally normed assessment by monitoring fluency progress with the online program AIMSweb. Students are given benchmark assessments three times a year to track their fluency growth. The focus of this assessment is words per minute. Benchmark goals are set at each level for the fall, winter, and spring. We more closely monitor student progress at weekly, monthly, or bi-monthly intervals for students who are not meeting the benchmark norms. Students are closely tracked and instruction is tailored to meet their fluency needs. Fluency intervention is given to any student who is struggling to meet grade level standards. Goals are also set for students exceeding grade level standards to ensure they are being challenged with their reading.

Writing Workshop. We teach writing using the writing workshop structure. This approach, developed by educators at Columbia University’s Teacher’s College is based on the actual writing processes used by published authors such as Georgia Heard, Don Graves, Lucy Calkins, and Ralph Fletcher (The Reading and Writing Project, 2014). This innovative approach to teaching writing utilizes a workshop structure where students are not just *following* a process to produce a single piece of perfect writing, they are *using* the writing process to express themselves and “to do powerful things in the world in which they live” (Ray & Laminack, 2001, p. 5).

Intervention is an integral part of the workshop approach to teaching. Through assessments, both formal and informal, teachers identify students’ areas of need and then confer with them during independent work time. As Carl Anderson (2000) explains the goal of these conferences is not to fix the students’ writing, but to support them so that they “can do the work we teach them in today’s conference on their own in future pieces” (p. 8). These conferences ensure that teachers are teaching to the standards, while differentiating and remediating instruction for students who need additional help.

At the cornerstone of the writing workshop are mentor texts, which serve as the primary instructional material. Since writing workshop is based on the processes used by published authors, it is only reasonable that students are constantly referring to these texts to see examples of strategies they might use. Students are gathering and developing in their notebooks and then drafting, editing, and revising on lined paper. Students often publish on school-provided laptops.

The writing workshop structure follows the same procedure as the reading workshop. The day's work starts with a mini-lesson. During this short period of instruction the teacher provides a context for the work they will be doing, models the use of the day's skill in her own work, and provides an opportunity for the students to try the skill. During the lesson the teacher will often refer to mentor texts or a classmate's work to show examples of how others have used a skill. At the end of the mini-lesson, the teacher sends the students off to consider trying this skill in their own writing.

During the independent portion of the workshop, students work on their self-selected pieces. Depending on the stage of the writing process the class is in, students might be gathering, developing, revising, or editing. This process happens at different rates depending on the grade level and the writing proficiency of the student. While students are working, the teacher confers with each student in small groups or one-on-one.

When developing a yearlong sequence for writing units, teachers rely on the CCSS and resources from Teachers' College for guidance. All English teachers on our staff have attended the summer institute for writing workshop put on by Growing Educators. Learning from that conference helped strengthen long term planning, strategy group work, and the use of rubrics. Since the CCSS include the same three major genres for each grade (opinion, narrative, and expository), students are exposed to all three each year. Since each writing unit lasts approximately four weeks, teachers are able to plan multiple units for the same genre. For example, a class might write a memoir and a fantasy story. Giving children multiple opportunities to write in a genre is crucial. They are able to focus on a few standards in each unit, as opposed to a cursory overview of five or more standards. They are also able to incorporate work done in the first unit when they get to the second one.

Word Study. Another important area of our balanced literacy program is word study. "Word study teaches students how to look at words so that they can construct an ever-deepening understanding of how spelling works to represent sound and meaning" (Bear, Invernizzi, Templeton, and Johnson, 2008, p. 3). We understand that the stages of spelling are developmental, so students are initially assessed using spelling inventories to determine where they fall on the continuum of orthographic knowledge. Keeping in mind Vygotsky's research on the zone of proximal development, teachers analyze each child's spelling assessments to determine their independent, instructional, and frustration levels. Teachers use this information to form groups and guide planning of instruction. These groups are flexible and students can move as needed, based on assessments and teacher observations.

Examples of ELA Projects. In the sixth grade, students learn the format for writing an autobiographical incident essay as part of a unit on narrative writing in their English class. Simultaneously in their science class, they learn about the water cycle. Students then draft, revise, and publish an essay in their ELA class from the perspective of a drop of water going through the water cycle. The assignment is interdisciplinary, with the student being graded on English skills in their English class and scientific accuracy in their science class.

In seventh grades, students study argumentative writing as part of a unit on opinion writing in their English class. Students then research a topic currently in the news of interest to them, and compose a letter to a leader or elected official in which they share their opinion and lobby the official to take action on this issue. Students have written letters to the VCMS principal about the

need for school psychologists in middle school, to state senators about gun violence, and to U.S. senators about immigration reform. The topic of the essay is selected by the student, increasing the motivation the student has to complete it.

In eighth grade, students participate in a book club in which they read a book, at their reading level, pertaining to the issue of social justice. Books read include *Farewell to Manzanar*, *Number the Stars*, *The Hate U Give*, and *The War that Saved My Life*. Within reading groups, students practice the reading skills they learn in mini-lessons. The class then comes together to discuss commonalities between the books and discuss the broader issues of social justice and oppression discussed in each of the novels.

Scope and Sequence

Our English teachers have developed year-long plans at each grade level that build upon each other and address the common core standards for the grade level. Sixth grade begins with the launch of reading and writing workshop. Students learn the expectations for workshop, learn how to select appropriate reading material, explore the proper use of their reader's and writer's notebook, and begin to increase their reading and writing stamina. From there, students next begin a narrative writing unit. Students focus on one small moment in a personal narrative and punctuate their story with dialogue. Emphasis is placed on "showing, not telling" by using precise, descriptive words. This is also the unit in which students begin to understand figurative language, including onomatopoeia, hyperbole, simile, and metaphor, and use these to strengthen their writing. Students learn to hook the reader with a strong lead sentence, and higher level students are pushed to include inner thinking, flashback, and suspense when appropriate. A nonfiction reading unit follows, in which students begin learning how to cite textual evidence to support literary analysis and determine an author's purpose. This is also the point at which students begin studying how they can distinguish claims supported by a text from those that are not. Students then move on to two writing units, the first involving persuasive writing and the second on research papers. This corresponds with a reading unit on science fiction and dystopian novels. Students are grouped based on reading level and read a book appropriate for their level.

In seventh grade, the year also begins with a personal narrative, as the students are re-introduced to the idea of writing workshop by learning the key components of personal narrative and completing a finished piece of writing in this genre. They then begin a reading unit, again with books chosen based on level. This is a realistic fiction unit with a focus on friendship. The mentor texts *Rikki Tikki Tavi*, *Broken Chain*, and *Seventh Grade* are used. Following this unit, students engage in a reading and writing unit on graphic novels. Students read a graphic novel in their book club and create a novel, learning the key components of this genre in the process. Students continue with a unit on historical fiction and then move into a final unit on argumentative writing. Students are introduced to the structure of such writing including the effective use of counterarguments to support claims.

Eighth grade students also begin their year with a workshop launch and a personal narrative, but relatively less time is given to this unit given that our students are familiar with the format having used it for at least two years, and possibly more if they attended Valley Charter Elementary School. Students then begin a reading and writing unit on horror, with *The Telltale Heart* and *The Landlady* serving as mentor texts. Following this, students transition to a unit on drama. They read the play *The Diary of Anne Frank* as a shared reading and use this shared experience as a springboard to discuss both the elements of drama as a genre and begin a

discussion of prejudice and oppression. This provides the basis for a major project in which the students research a hero of the holocaust, and present this information as a museum piece. Students conclude the year with a research paper writing unit. This is a collaborative unit between English and science in which students learn about research pertaining to the teenage brain and write about how information we know about the brain informs how they, as teenagers, best learn.

English Language Development (Core)

Planning for ELD instruction is guided by the ELD standards and our student data. As a faculty, we review the results of the ELPAC test and identify areas of student growth and areas in which we need to increase instruction. We consider groups of students not only by their grade level, but also by their level of English development. LAUSD ELD portfolios are maintained for each student and updated throughout the year. Since the ELD standards are closely aligned with the CCSS, there are a variety of entry points in which these standards can be easily and logically incorporated into our curriculum. We address these standards, using SDAIE strategies when appropriate, in our ELD instruction and in our daily language arts, math, and other content area instruction.

ELD instruction at VCMS is both embedded in our subject areas throughout the day and explicitly taught. The workshop structure that we use to teach reading and writing allows teachers to meet with English Learners in small groups to address the standards. Since conversation skills are such a substantial part of our language arts curriculum, students are constantly learning how to interact in meaningful ways (a key part of the ELD standards). Yvonne and David Freeman (2009) write, “Teachers need to ensure that language use in schools is cognitively demanding and context embedded so that students can learn both the academic language and the content they need” (p. 43). Teachers are able to do this using the workshop model by providing sentence frames for notebook entries and book conversations, by providing specific feedback about word choice in writing, and by explicitly teaching vocabulary.

In addition to learning conversational English, our English Learners have to learn academic language, which can take five to seven years for these students to gain proficiency (Freeman & Freeman, 2009). Because of our project-based and constructivist approach to teaching, students are experiencing multiple representations of academic vocabulary, as recommended by the CDE (2010). In sixth grade this means learning the word “physics” by seeing it in action as students design, build, and race paper airplanes. In eighth grade students analyze political cartoons to learn the word “politics.” Students are constantly building on prior knowledge as teachers utilize what the CDE (2010) refers to as “communitarian practices” (p. 110). The PBL process naturally results in students working collaboratively to conduct a lab, a simulation, or a report. While working together, our English Learners are constructing their understanding of academic vocabulary through conversation with their peers, who often frame the content in “kid-friendly” language they can more easily understand.

Explicit ELD instruction is done in small groups and students are not pulled out of the classroom during the day. At each grade level we design ELD curriculum that meets the expectations of the new standards. Interacting in meaningful ways, one component of the ELD standards, is not only embedded in every subject area throughout the day, but it is explicitly taught to our EL students. Students might be revising a story by changing the ending, adding in show, not tell, or making dialogue tags more precise. These are skills that all of our students need, whether they are

identified as English Learners or not. However, we recognize the importance of these lessons for our ELs and ensure that there is dedicated instructional time for them to learn how the English language works.

At VCMS, we firmly agree with what the CDE (2010) writes when they say, “Instructed ELD complements informal instruction that happens throughout the school day in spontaneous situations where the skillful teacher takes full advantage of every opportunity for teachable moments” (p. 85). This is our goal. We reserve instructional time for ELD lessons, but we are constantly designing curriculum in all areas that meets the needs of our English Learners.

Mathematics (Core)

The VCMS mathematics program utilizes cooperative learning groups, use of manipulatives, and exploratory learning strategies. In the classroom students use textbooks from the Pearson Common Core Series, teacher-created materials, and Khan Academy. In addition, the mathematics program makes extensive use of Thinking Maps, designed to support specific thinking skills and allow students to organize and synthesize complex mathematical concepts. Thinking Maps, defined as “A language of eight visual patterns each based on a fundamental thinking process (Hyerle and Yeager, p. 2)” have been shown to be highly effective in making more challenging mathematics concepts comprehensible for struggling students (Hyerle, 2004). In addition, Thinking Maps are used in the classroom to integrate students’ ideas and previous knowledge in order to learn a new concept making them a perfect fit for the constructivist philosophy of the school.

One of the most common forms of teaching mathematical concepts at VCMS is through project-based learning. Project-based learning, as used in the mathematics classroom, includes projects that are complex and based on challenging questions or problems. A hallmark of true PBL is that students are involved in design, problem-solving, decision making, or investigative activities and are given the opportunity to work relatively autonomously over extended periods of time (Jones, Rasmussen, & Moffitt, 1997). These projects culminate in realistic products or presentations.

Research clearly shows that connecting mathematics instruction to real life experiences is critical to students learning and retaining knowledge (Putnam, 1992). With this in mind, math projects at VCMS take into account student backgrounds and interests.

Scope and Sequence

In 6th grade, students begin the year with a unit on decimals. As part of this unit, students complete the million dollar project, in which they learn to compute with large numbers by researching and buying products they will one day need as adults. They then move on to a unit on expressions, equations, and properties. As part of this unit, they create a calendar in which each day is represented by a different equation. After this, students move into a number theory unit and then to units on fraction operations and ratios, decimals, and percentages. It is during the ratios unit when students complete the better buy project, where they take a field trip to a local grocery store, compare items of different sizes, and determine which is the better buy. The year ends with the math carnival project. Students hear a party planner as a guest speaker and then begin to design a carnival for their classmates. They create carnival style games which will teach or assess math concepts. The event is completely student led, as the students build the game, create a layout of where everything will be, and run the event itself.

In 7th grade, students also begin with a unit on integers and decimals, increasing the rigor from sixth grade by focusing more on negative integers. To this end, they complete the "I am an Integer" project. Students create a timeline to using their birth as '0' and detail events before their birth as negative numbers and events which occurred after their birth as positive numbers. The next unit is evaluations and expressions, and for this unit, the math and English departments work collaboratively as students write a real life short story with a problem. They then create an equation to solve the problem and create a 3D movable model of the equation. A unit on statistics and percentages follows. Here, the math and social studies departments work collaboratively for a project in which students research a major policy debate, survey classmates about their views on the issue, and present their results graphically. Units on inequalities, surface areas, and volume follow. As part of the surface area unit, students design a blueprint of a design to remodel a backyard, focusing on concepts they have learned. The year concludes with a unit on probability. Here, the students create a project where they explore a career they are interested in and estimate their probability for financial success based on data from the department of labor.

In 8th grade math, students begin the year with a unit on real numbers and the coordinate plane. Students create a real number line poster that demonstrate how to plot natural numbers, integers, square roots, decimals, absolute value, and irrational numbers on a number line, which serves as an assessment of the unit and also as a culmination of the work done in their 6th and 7th grade units on integers. This is followed with units on solving linear equations and functions. For the function unit, students crease a "function machine," which is a 3D manipulative tool for solving any function. Students have full creativity over the manner in which they design their function machine. Units on systems of equations and data analysis follow. For the data analysis unit, student ask a research question relating to their classmates, collect data from, and graph their findings for a class presentation.

Throughout the year, math educators monitor students' mastery of concepts and overall growth. Aimsweb and NWEA Maps assessments are administered three times per year as benchmarks in order to measure growth - the results of which are used to determine next steps in classroom instruction. Tier 1 support is embedded in the classroom through differentiated instruction, while math Support classes provide additional support to improve math literacy and build on students' math confidence through small group instruction.

A key part of our math program involves enrichment opportunities. Seventh or eighth grade students, based upon their grades, score on the UCLA algebra readiness test, and recommendation of their prior grade teacher, have the opportunity to take enriched math (similar to a pre-algebra class), algebra, geometry, or Algebra II. If there are not sufficient students to have a stand-alone class in any of the more advanced courses, the school pays the cost for eligible students to enroll in an online course, under the supervision of the teacher. This ensures that all of our students are appropriately challenged and taking the math course that is right for them.

Social Studies (Core)

In Social Studies at VCMS, students learn through a project-based and inquiry-based approach. As stated above, project-based learning leads to increased learning outcomes among all students and is consistent with a constructivist understanding of how students learn (Wilson, 1996). Project based learning helps students remember information by connecting it with a hands-on experience.

Social studies at VCMS is not taught with a textbook. Rather, students learn by exploring a variety of secondary texts and primary source documents. The use of primary sources in middle school social studies has been shown to foster higher level thinking skills (Tally & Goldenberg, 2005). When interacting with text, emphasis is placed on analysis of events, cultures, and themes and their relationship with each other, and their lasting impact. Inquiry-based learning requires students to think like a historian by analyzing multiple sources of information to answer open-ended questions. Since there are often no right or wrong answers, students succeed only by showing they can build and defend a logical, evidence based argument like an historian.

Scope and Sequence

This focus on interacting with text in a meaningful, collaborative way is present in all grade levels. In the sixth grade, students study ancient civilizations. The first unit covers ancient people. Students take on the role of archaeologists, and do an archaeological dig. Students take on the roles of surveyor, artist, and analyst, analyzing fossils found to learn more about the civilization they are studying. After studying ancient Israel, student then move into a unit on Mesopotamia. Through a stream table project which combines social studies and science concepts, students come to understand the impact of the Tigris and Euphrates rivers on Mesopotamian culture and history. An Egypt unit comes next. Students learn about the mummification process by mummifying an apple and a store bought chicken. This projects integrates science and English with the social studies the students are learning, as they collect detailed data about their mummifying chickens and conclude the project by writing an obituary of their mummified pharaoh. Following this, the students study ancient Greece and engage in a Socratic seminar on the benefits of the Athenian versus Spartan lifestyle. A unit on ancient Rome comes next, as students conduct a trial of Marcus Brutus, taking on the roles of attorneys, witnesses, and a judge. This is followed by units on ancient China. The year concludes with a culminating project where students become curators of an ancient civilization museum, bringing together material learned in all units from the year.

The seventh grade curriculum focuses on world history from Medieval through modern times. Here again, students use historical documents to think critically and reach their own conclusions. Persuasive writing is a particular emphasis in this course, and the social studies and English teachers work closely together. In the unit on the Roman empire, for example, students are asked to consider how the meeting between Attila the Hun and Pope Leo I affected Attila's decision in 452 A.D. not to invade Rome. Students examine artistic renderings of the meeting by Rafael, along with written accounts by both Paul the Deacon and Prosper of Aquitaine. Using these documents, they determine what most likely happened at the meeting, and why Attila decided to turn back. The goal of this assignment is not only for the students to learn the historical content, but also to develop an understanding what makes a source reliable for historians, and the often incomplete nature of the historical record. Other writing assignments include an essay during the unit on Japan questioning whether the Samurai were brutal killers or gentleman warriors, as well as an essay on Agrippina in which students must determine if this empress was ultimately a good leader, given both the advancements she made for Roman Society and the cruelty she inflicted. Another highlight of the year is the Griot project. Students learn about these West African storytellers and then come up with their own Griot story they share with the class. Science is also heavily integrated into seventh grade social studies, as students use design and engineering principles to build catapults, water clocks, wooden ships, and more. In

each of these cases, student learn both about the historical context of these innovations and the technological skills needed to construct them.

Eighth grade history covers U.S. history, and the relatively recent nature of the events provides the greatest possible opportunity to integrate primary sources into the curriculum. Students examine documents including the constitution, *Common Sense*, the Supreme Court's Dred Scott decision, *Letters from a Birmingham Jail*, and many more in order to determine how these documents affected the course of U.S. history. Eighth graders are also introduced to the complexities of history. The civil war, for example, is not taught simply as a story of slave states vs. free states. Rather, students are asked to consider the economics, agriculture, and social structure of life in the pre-war North and South to gain a more complete understanding of why this war was fought. Socratic seminars and debate are a major feature of the eighth grade social science curriculum. Students debate the impact of the major compromises in the U.S. Senate prior to the civil war, the weaknesses of the articles of confederation and the way in which they led to the constitution, the relationship between the concept of manifest destiny and the start of the Mexican-American War, as well as a variety of seminal supreme court cases. Students also engage in deep analysis of the amendments to the constitution, using these as a springboard for understanding the changing American culture and norms over the course of our country's history. Current events are also deeply integrated into the eighth grade science curriculum, particularly when the events demonstrate a connection with an event from the nation's past.

The VCMS social studies classroom inherently provides opportunities to support struggling students, and challenges advanced students. Students often complete group projects and tasks, providing struggling students with peer assistance. Conversely, this supports advanced students by providing them opportunities for peer teaching and leadership (Slavin, 1988). VCMS social studies classes also have an assistant teacher in addition to the classroom teacher, maximizing the opportunities for individual assistance for struggling students.

Inquiry based learning supports the development of higher order thinking skills in both struggling and advanced students. The inquiry question is generally fairly straightforward (e.g. Were Samurai warriors ruthless killers or gentleman soldiers? or Were the Dark Ages really "dark"?). Students are also presented with a variety of documents, varying in difficulty, to provide evidence for their response. The questions, and some of the documents, are simple enough to allow struggling students to understand what they are being asked for, and simple enough to allow them to provide an adequate response. At the same time, the inquiries are profound enough to allow advanced students to develop profound answers. Since there are no right or wrong answers, a response is never done or perfect. VCMS social studies teachers enrich the education of all students by challenging them to defend their judgments to the degree appropriate for their ability level, and asking them to evaluate the arguments of their classmates.

VCMS social studies students will be evaluated for progress by completing frequent, graded assignments that measure both content knowledge and higher-order thinking skills. Students will be given unit tests that measure their knowledge of both of these areas equally. Students will be tested for progress in reading, writing, and higher order reasoning by constructing short answer and essay questions to open ended questions using textual evidence.

Science (Core)

In the science department students are taught using a hands-on, inquiry-based program. Research has shown that beginning a science lesson with a discrepant event increases engagement and interest (O’Brian, 2010). Discrepant events are brief (typically under five minutes) demonstrations that are counterintuitive. As such, they force the viewer to wrestle with the question of why the phenomenon happens, eventually leading to learning the science concept (O’Brian, 2010). For example, in 8th grade science, the unit on air pressure begins with the teacher placing a yardstick under several sheets of newspaper, such that the ruler sticks out over the edge of the table. A quick survey of students usually reveals a consensus if the teacher hits the exposed half of the yardstick, the paper will fly into the air. The teacher hits the yardstick and, to the surprise of most students, it snaps in half. Students are then put into groups to wrestle with why this happens. Eventually, the students deduce that air pressure was pushing down on the paper, and that the force of the pressure (which can be calculated, providing a math connection) was greater than the force of the teacher pushing on the yardstick.

The benefits of beginning a unit on air pressure in the manner described above, as opposed to simply reading about air pressure in a textbook, are threefold. First, students can see the results for themselves, rather than being told to simply believe what is written in a book. This is crucial when students hold misinformation in their minds (Gooding & Metz, 2011). Second, by forcing students to explain a discrepant event, students have a reason for seeking knowledge beyond just being told to by a teacher. This inquiry-driven approach has been shown to increase motivation (Donovan & Bransford, 2005). Finally, beginning units using discrepant events represents the perfect opportunity to incorporate Next Generation Science Standards (NGSS). The focus in NGSS on inquiry over memorization is evident in this approach.

Labs in the science classroom are essentially extended inquiries, of the same type described above. In keeping with the NGSS cross-cutting concept of investigation, the students are posed with a question (or create their own) and set about experimenting to solve the answer. It is crucial that the experimental procedure be student-created to maximize student interest and buy-in (Gooding & Metz, 2008). The role of the teacher is not to tell the students the answer to the question, nor even to tell them how to find the answer. Rather it is to facilitate a student-driven process of knowledge-acquisition through inquiry. This approach to science education is the perfect compliment to an overall constructivist educational philosophy (Gooding & Metz, 2011).

The student-centered nature of the science program makes differentiation very natural. As students are writing lab procedures or interacting with scientific text, they do so at their level of understanding. Moreover, hands-on science classes have been shown to be a great “equalizing” tool for students struggling in reading and writing, since these skills are not requisite to completing a lab assignment (Guthrie & Davis, 2003).

Scope and Sequence

At the start of the 2018-2019 school year, the VCMS science department restructured our science program to fully implement the NGSS science standards. Rather than breaking the scope and sequence down by grade level, we break it down by NGSS crosscutting concepts, and provide projects exploring each concept as shown in the chart below.

Table 7 – Science Projects Organized by Cross-Cutting Concepts

Crosscutting Concept	Project	Grade Completed
Patterns	<p>Weather Project – Students show the pattern of weather in a geographic location of their choice through a weather report</p> <p>Heredity Project – Students model the appearance of offspring based on the traits of the parents</p> <p>Design an Element Project – Students imagine a new element and, using their knowledge of the periodic table, determine its likely attributes</p>	<p>6</p> <p>7</p> <p>8</p>
Cause and Effect	<p>Electricity Project – Students determine what is needed to create a circuit and use this design a system that will light a single bulb</p> <p>Ecosystem Project – Students determine the impact of removing a certain predator or prey on an overall ecosystem, leading to a persuasive writing piece advocating for conservation</p> <p>Evolution Project – Students simulate natural selection by modeling the changes in a species over time based on the evolutionary pressure of predation</p> <p>Plant Project – Students design an artificial growth habitat for a plant, and determine the factors that will impact the plant’s ability to grow in this environment.</p>	<p>8</p> <p>6</p> <p>7</p> <p>7</p>
Scale, Proportion, and Quantity	<p>Solar System Project – Students create a scaled model of the solar system using common classroom/ household objects, and explain to the class the reasons for their selections</p> <p>Artificial Organ Project – Students design a model of an organ from the human body, which replicates the structure and function of the organ</p>	<p>6</p> <p>7</p>

Crosscutting Concept	Project	Grade Completed
Systems and System Monitoring	Cell Analogy Project – Students analogize the cell to another system, such as a city, vehicle, school, etc. to demonstrate the function and interconnectedness of organelles.	7
	Newton’s Laws Project – Students create a demonstration of Newton’s laws for the class.	8
	Space Project – Students create a 3D model of the Earth, moon, sun system that explains climate, seasons, wind patterns, and other features of earth	6
	Artificial Organ Project – Described above	7
Energy and Matter	Design an Element Project – Described above	8
	Solar Energy Project – Students are tasked with designing a heating device that will increase the temperature as quickly as possible in the shortest amount of time. They design their innovation, determining needed supplies and design	6
Structure and Function	Build a Beak – Students learn about the features of various bird beaks and must create one for various climates using a variety of classroom supplies	7
	Microscope Exploration – Students examine a variety of plant and animals cells under the microscope to determine how one can learn the function of cells by examining their structure	8
	Artificial Organ Project – Described above	7
Stability and Change	Ecosystem Project – Description Above	6
	Evolution Project – Description Above	7
	Newton’s Laws Project – Description Above	8

Crosscutting Concept	Project	Grade Completed
Interdependence of Science, Engineering, and Technology	Embedded in Electricity Project, Solar Energy Project, Microscope Exploration, and Plant Project, all described above	6, 7, 8

Students in science classes are evaluated through a review of lab write-ups, informal learning checks, and formal end of unit assessments. Additionally, eighth grade science students take the NWEA Maps science test. This assessment is aligned to the NGSS, and provides data for our science teachers regarding which standards are most understood and which will require re-teaching for mastery.

Visual and Performing Arts (Embedded into Core Classes)

At VCMS, the arts are embedded into the core curriculum. Being project-based, teachers have frequent opportunities to allow students to express their mastery of subject-matter artistically. One example of such a project is the 8th grade industrial revolution project. When learning about the industrial revolution, students hear, through a shared reading, about an English town before the influx of factories. They are tasked with drawing an image of how this town looked. They are then told the “story” of the town, and how it changed through the years as industry came in. They must edit their drawings to reflect these changes. Students quickly see the importance of creating an artistic representation, with proper color, scale, and perspective in order to use the representation to draw conclusions about the town’s evolution. In so doing, art is seen as not only something done for its own sake, but also as a crucial piece of their work as historians.

Research has demonstrated the importance of integrating the arts in language arts classes (Albers, 1997). To this end, students in language arts are frequently encouraged to represent what they are reading visually, or to incorporate art into their writing. This is especially beneficial to struggling readers and writers. Such students can often demonstrate comprehension of a high level text by drawing and explaining a picture about it, even as they are not yet able to formulate such thoughts in written form (Hibbing & Rankin-Erikson, 2003).

Science is another course where visual arts integration is commonly found at VCMS. Wiegand (1985) found that scientific and artistic inquiry naturally complement each other. Moreover, it has been shown that students retain more science content knowledge when the artistic merit of illustrations, sketches, and models done in class are a factor in their assessment (Jakobson & Wickman, 2008). To this end, students in science routinely sketch out cells, body systems, models of the Earth, atoms, and more. Such projects are not just art for arts sake; students see them as crucial tools to understand the content they are encountering.

Performing arts can also be effectively integrated into core curricular areas. Research suggests, for example, that the deliberate integration of performing arts and social studies instruction can enhance teaching and learning in both areas (Taylor, 2008). As such, debates, mock trials, and historical simulations are part of our social studies curriculum in all grades. Students enjoy the “acting out” what they are learning as opposed to simply reading about it.

Health and Physical Education (Non-Core)

Health education at VCMS is taught primarily in the 7th grade science and advisory classes. Integrating health as part of the seventh grade unit on human body systems is a natural fit. In seventh grade, students learn about their bodies and ways to keep themselves healthy, including such topics as healthy eating, exercise, and tobacco, alcohol, and drug avoidance. Each student in the seventh grade maintains a personal health log for a week, which includes foods eaten and exercise completed. Students bring their completed logs, and create a set of personal goals for a healthy lifestyle, personalizing their health instruction. Additionally, VCMS partners with the Valley Community Healthcare's teen clinic to provide sex education as part of our health instruction.

Teachers also use advisory classes as a platform to teach students about healthy lifestyles. Health in advisory is taught from multiple perspectives. First, physical health is discussed. Students discuss what to eat, the importance of exercise, and what their bodies need to remain healthy. In addition, social/ emotional health is also taught through the lens of responsibility. Students learn how a healthy lifestyle includes maintaining a well-balanced life between school, family, friends, personal interests, and planning for the future.

All students take physical education as part of their VCMS program. In accordance with state law, sixth graders have 200 minutes of P.E. each week, while students in the seventh and eighth grade have 230 minutes per week. The core of the physical education classes is centered on using various team sports to teach the students teamwork, a sense of fair play, and personal responsibility. Students have the opportunity to learn the skills needed to participate in specific team sports creating their own personal goals as well as developing the social skills necessary to participate within a team environment. Hellison (2003) outlines how students can learn through team sports to cope with everyday realities, take pride in themselves and their accomplishments, refrain from judging others too quickly, get along with peers and teammates, abandon their tough images, and control their tempers. All of these are goals of the VCMS P.E. program.

In the seventh grade, students prepare for the California fitness test (fitnessgram). In addition to the health benefits of passing this assessment, research indicates that students who do not meet the minimum requirements for the fitnessgram score lower in language arts and mathematics standardized tests, even when controlling for other factors (Roberts et. al., 2010). We therefore work with our 7th graders from the start of the year on the skills this assessment requires, including aerobic capacity, muscular strength, muscular endurance, and flexibility.

Exploratories and Electives (Non-Core)

Valley Charter Middle School offers an exploratory class for all 6th grade students and an elective class for seventh and eighth graders. The exploratory class is an opportunity for all sixth graders to take a class outside of the typical curriculum. Exploratories vary year by year, but past courses have included improvisation, drum circle, and art. Electives differ from exploratories in that students have the opportunity to select from a set of choices, which in the past have included art, spoken word poetry, foreign language, dance, creative writing, marine biology, and current events.

Advisory

All VCMS students are enrolled in an advisory class. Studies show that students greatly benefit from a high quality advisory program, but that many teachers are hesitant about teaching

advisory at the middle school level because of lack of preparation and resources (Ayres, 1994). In light of this, VCMS dedicates professional development time to planning an advisory program based on four determined areas of need:

1. Goalsetting
2. Teambuilding
3. Community service/ social responsibility
4. College and career planning

Through well-designed lessons and activities, students gain competence in these “soft skills” of educational success.

Council

Council is embedded in the advisory program, and is modeled after the Ojai Foundation Council in Schools program (Ojai Foundation, 2014). In this program, students are able to listen to each other in an open forum while having an adult facilitator. Council is not designed to fix problems for students, but rather to open the lines of communication. A goal for council is for students to feel capable of addressing concerns and finding solutions for themselves, based on their social-emotional standing. During Council teachers are facilitators who encourage honesty, spontaneity, and listening and speaking from the heart by creating a safe space for students to “tell their stories.” Students gain a greater awareness of student commonalities and become more tightly connected to the school community.

12. Table 8 – Course List

Subject Area	Sixth Grade, Semester One	Sixth Grade, Semester Two	Seventh Grade, Semester One	Seventh Grade, Semester Two	Eighth Grade, Semester One	Eighth Grade, Semester Two
English/ Language Arts	Language Arts 6A	Language Arts 6B	Language Arts 7A	Language Arts 7B	Language Arts 8A or Accelerated Language Arts 8A	Language Arts 8B or Accelerated Language Arts 8B
Math	Math 6A	Math 6B	Math 7A or Accelerated Math 7A or Algebra A or Geometry A	Math 7B or Accelerated Math 7B or Algebra B or Geometry B	Math 8A or Algebra IA or Geometry A or Algebra IIA	Math 8B or Algebra IB or Geometry B or Algebra IIB
Science	Science 6A	Science 6B	Science 7A	Science 7B	Science 8A	Science 8B
Social Studies	Ancient History A	Ancient History B	World History A	World History B	U.S. History A	U.S. History B

13. Instructional Methods and Strategies

Valley Charter Middle School (VCMS) is a unique educational environment where instruction is delivered in a variety of ways. As part of our focus on problem-based learning, educators at VCMS employ teaching strategies that include direct instruction, student-led discussions, cooperative and collaborative learning, and inquiry-based learning activities as a basis for

solving authentic problems. Research has shown that cooperative project based-learning leads to more effective learning outcomes for high, average, and low achievers (Bandura, 1997). The strategy has shown itself to be effective for both boys and girls, and African-American and Hispanic students, when compared to traditional teaching methods (Slavin, 1998). In addition, VCMS' constructivist teaching philosophy emphasizes student-centered learning, where the student is transformed from a passive recipient of information to an active participant in the learning process. According to the constructivist theory of learning, students learn information most effectively when they can have meaningful experiences and interactions with the new information (Slavin, 1998). VCMS' educational philosophy creates this learning environment.

Intervention and Enrichment Program

Specific intervention classes are offered in ELA and mathematics. Our ELA intervention teacher has attended Orton Gillingham training for teaching reading, and uses these skills to work with students who are reading significantly below grade level. Teachers determine the specific skills students need to work on, which could include vowel sounds, consonant blends, c/k rules, and other areas needed for reading through phonics, and these skills are targeted. In math, students use Khan Academy to demonstrate mastery of skills and watch online lessons designed to re-teach skills in which they are deficient. Additionally, students scoring poorly on the AIMSweb math fluency probe receive intervention in basic math facts, including order of operations, the distributive property.

VCMS also works to support our student who would benefit from enrichment opportunities. The school offers an accelerated English class, which explores the ELA standards in greater depth and allows for students to explore books above grade level. For particularly strong math students, VCMS offers geometry and Algebra II classes, allowing students to enter high school at a higher level.

14. Supporting Standards Implementation

In English, teachers look at the Common Core State Standards (CCSS) and then create units and teaching points that address these standards. In addition to looking at the standards, teachers consider the reading units developed at Columbia University Teachers College Reading and Writing Project and modify them to fit the needs of each individual class. Teachers backwards plan by first stating their goals for the unit of study and then developing individual teaching points that lead their students to accomplish these goals. CCSS emphasizes informational text, and, in light of this, teachers in all content areas have received professional development in strategies for teaching informational text.

In math, our teachers have embraced the idea, encapsulated in CCSS, that learning the process of how to arrive at an answer is more important than memorizing the algorithm for solving the problem. Students continue to practice solving problems, but also must write in math, justifying their answer, or doing error analysis of a proposed answer. Teachers serve not as providers of answers but as facilitators and guides as students construct their own meaning. This is a hallmark of both the constructivist philosophy and CCSS for math.

Although the core of the social studies standards is still based on California state standards, VCMS social studies teachers are embracing the Common Core philosophy in the social studies curriculum. Students are required to demonstrate their mastery of content knowledge through

higher order thinking skills. VCMS teachers follow the guidelines of the REACTS Taxonomy to determine the higher-order thinking skills students need to develop in the Common Core aligned classroom (Stripling & Pitts, 1988). This six level taxonomy ranges from lower order to higher order thinking skills in the following order: recalling, explaining, analyzing, challenging, transforming, synthesizing. Students still need to memorize essential facts. Being able to recall facts, however, can never be the end goal in and of itself (Stripling & Pitts, 1988). Memorizing information is simply the first step in developing the students' abilities to use this information. They need to be able to think critically, question information, and render and defend their own judgments (not just those given to them). These are the essential skills of the historian and are therefore essential in the social studies classroom (Stanford History Education Group, 2014).

Inquiry based learning provides a powerful tool for VCMS students to develop these essential historical skills. In 7th and 8th grade history, VCMS frequently uses document lessons created by Stanford Education Group's *Read Like a Historian* project. The Stanford Education Group explains that within these document assignments:

“Instead of memorizing historical facts, students evaluate the trustworthiness of multiple perspectives on historical issues. They learn to make historical claims backed by documentary evidence” (Stanford History Education Group).

These assignments meet the standards of Common Core teaching by requiring higher-order thinking, and not limiting student learning to memorizing historical facts.

Science teachers at VCMS have embraced the Next Generation Science Standards (NGSS) transitioning from teaching separate earth, life, and physical science courses to instead teaching an integrated program designed around the cross-cutting concepts. NGSS has at its focus an emphasis on explaining processes and phenomena, rather than memorizing facts, making it fit seamlessly in a constructivist, project-based curriculum. Engineering skills, key to NGSS, are also a key feature of our program. Sixth grade students design, test, and refine solar cookers. Seventh graders do the same for catapults and eighth graders have this experience while creating roller coasters. In all these areas, the engineering design principles are the foundation for the instruction.

The VCMS science department promotes the school's focus on the CCSS by incorporating meaningful expository reading and writing in the curriculum. Students read about current science research, selected by the teacher to fit their reading level, and respond to in the context of their study of science process skills. Learning about the process of science in this manner allows students to become more science literate, able to think about critically and respond to issues of science they will encounter as adults (American Association for the Advancement of Science, 1993). Students in science are also frequently asked to write. Lab analyses and discussions of current events are regular features of the science program. Creative writing assignments include RAFT writing. RAFT is a writing strategy that stands for role, audience, format, topic. Using this technique, students are first given a role. For example, in the seventh grade science class, students take on the role of a drop of blood or a piece of food. They are then told their target audience, which, in this instance, is an elementary school student. They are given a format and topic on which to write. For example, they are told to write a children's story about their trip through the human body. This writing strategy has been shown to be especially effective with struggling and reluctant writers (Fisher & Ivey, 2011).

15. Technology-Related Skills

All teachers at VCMS use technology regularly to enhance and enrich their classroom instruction. In the sixth grade, students use laptop computers to conduct online research for projects in all subject areas, and write essays, keep blogs, and create projects using word processing and presentation software including Word, PowerPoint, and iMovie. Teachers occasionally show video clips as part of the curriculum. Audio books are used as a tool to help struggling readers access the curriculum. Teachers also use the Internet to integrate current events relating to topics being studied into the curriculum. Seventh and eighth grade students also use the laptop computers to conduct research, write essays, and develop projects by making use of the Internet and appropriate software including iBooks, iMovie, Word, and PowerPoint. To aid in developing strong Internet research skills, all seventh and eighth grade students complete an Internet literacy unit, which focuses on evaluating the quality of web sites, search skills, and proper citation of sources. In math, students enhance the regular curriculum are able to work independently through Khan Academy, aiding in differentiation.

Teachers at all grade levels use the Internet on a regular basis to find high-quality lessons and resources, and use presentation software such as PowerPoint and Google Docs to present lessons to the class.

Students regularly prepare to take the Smarter Balanced assessment. They regularly take computer-based assessments in all classes. Additionally, their frequent use of laptop computers prepares them to use a computer for testing. Finally, in math class students are regularly asked to do sample performance tasks, similar to those they might see on the Smarter Balanced assessment, as part of their regular coursework.

Academic Calendar and Schedules

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

21. Academic Calendar

Month	M	T	W	R	F	S	S	M	T	W	R	F	S	S	M	T	W	R	F	S	S	M	T	W	R	F	S	S	Total Days	Total Work Days						
AUG	3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26	27	28	31								5	1	10	6	16			
SEP		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30									20	20			
OCT				1	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30								21	22		
NOV	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23	24	25	26	27	30												15	15		
DEC		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30	31									14	14		
JAN	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29														19	19	
FEB	1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26														18	19	
MAR	1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	29	30	31											19	20	
APR				1	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30									15	15	
MAY	3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26	27	28	31														20	20
JUN		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30											8	9	

SD	Staff Development Day	Non-School Day	Back to School Night (Elementary)	9/4/20	Progress Report Due Dates	TOTAL DAYS	135	40	14	175	189
S	Shortened Day	Yom Kippur	9/28/20	Back to School Night (Middle)	6th - 9/8/20; 7th/8th - 9/10/20	1st Semester	5/1	Jun			
H	Holiday			Fall Parent Conferences	11/2-11/6/2020	2nd Semester	10	Jun			
x	Regular Day	Holidays		Open House (Elementary)	3/18/21						
		Labor Day	9/7/20	Spring Parent Conferences	3/22-3/26/2021						
	Staff Development Institute	Yom Kippur	9/28/20	VCMS Culmination	6/8/21	VCIS Instructional M	Reg. Day	44220			
	8/10/20-8/21/20	Veteran's Day	11/11/20	VCIS Culmination	6/9/21	Short Day	10000				
	Staff Development Days	Thanksgiving Break	11/23-11/27/20			Total	54220				
	10/16/20, 2/12/21, 3/19/21, 6/11/21	Winter Break	12/21/20-1/1/21	School Hours - Elementary	Minutes						
		Martin Luther King Jr	1/18/21	Regular Day 8:05 - 2:40	335						
	VCMS Orientation (6)	President's Day	2/15/21	Shortened Day 8:05 - 1:00	250	VCMS Instructional Minutes:	46500				
	VCIS Picnic	Spring Break	3/29-4/9/21			Short Day	10750				
	VCMS Picnic	Memorial Day	5/31/21	School Hours - 7th/8th	Minutes						
	VCMS Orientation (7/8)			Regular Day: 8:35-3:15	355	State Required Instructional Minutes	36000				
				Shortened Day: 8:35-1:30	250						
				School Hours - 6th	Minutes						
				Regular Day: 8:30-3:10	355		1.3-50400				
				Shortened Day: 8:30-1:25	250		4.8-54000				

22. Daily Schedule

6th Grade

Monday, Tuesday, Wednesday, Friday	Thursday
8:30-9:00: Advisory 30 Instructional Minutes	8:30-9:40: ELA (Includes designated and integrated ELD time) 70 Instructional Minutes, including 30 minutes designated ELD and 40 minutes integrated ELD
9:05-10:50: ELA (Includes designated and integrated ELD time and a 10 minute nutrition break) 100 Instructional Minutes, including 30 minutes designated ELD and 65 minutes integrated ELD	9:40-9:50: Nutrition
10:50 - 11:45: Period 1 50 Instructional Minutes	9:55-10:35: Period 1 40 Instructional Minutes
11:45 - 12:40: Period 2 50 Instructional Minutes	10:40 - 11:20: Period 2 45 Instructional Minutes

12:40 – 1:15: Lunch	11:25-12:05: Period 3
1:20 – 2:15: Period 3 50 Instructional Minutes	12:05-12:40: Lunch 45 Instructional Minutes
2:15 – 3:10: Period 4 50 Instructional Minutes	12:45-1:25: Period 4 45 Instructional Minutes

On Monday, Wednesday, Thursday, and Friday, Periods 1-4 include math, science, social studies, and PE. On Tuesday, PE is replaced with exploratory
Total Instructional Minutes: 330 (M, T, W, F); 245 (Thursday)

7th and 8th Grade

Monday, Wednesday, Friday	Tuesday	Thursday
8:35-9:05: Advisory 30 Instructional Minutes	8:35-9:00: Advisory 30 Instructional Minutes	8:35-9:25: Period 1 30 Instructional Minutes
9:10-10:10: Period 1 60 Instructional Minutes	9:05-9:55: 7 th grade Elective/ 8 th grade Period 1 50 Instructional Minutes	9:30-10:15: Period 2 50 Instructional Minutes
10:10-10:25: Nutrition	9:55-10:10: Nutrition	10:15-10:30: Nutrition
10:30-11:30: Period 2 60 Instructional Minutes	10:15-11:05: 7 th grade period 1/ 8 th grade Elective 50 Instructional Minutes	10:35-11:20: Period 3 50 Instructional Minutes
11:35-12:35: Period 3	11:10-12:00: Period 2	11:25-12:10: Period 4
12:35-1:05: Lunch	12:00-12:30: Lunch	12:10-12:40: Lunch
1:10-2:10: Period 4 60 Instructional Minutes	12:35-1:25: Period 3 50 Instructional Minutes	12:45-1:30: Period 5 50 Instructional Minutes
2:15-3:15: Period 5 60 Instructional Minutes	1:30-2:20: Period 4 50 Instructional Minutes	
	2:25-3:15: Period 5 50 Instructional Minutes	

Periods 1-5 include ELA, math, science, social studies, and PE. On Tuesday, Wednesday, and Friday, the 30 minute advisory period is used to provided designated ELD instruction. On Monday and Thursday, 30 minutes of ELA class is used to provide designated ELD in instruction. Integrated ELD instruction is also provided in ELA classes as follows:

Monday: 30 minutes

Tuesday: 50 minutes

Wednesday, Friday: 60 minutes

Thursday: 45 minutes

Total Instructional Minutes: 330 (M, T, W, F); 245 (Thursday)

23. Instructional Days and Minutes Calculator

Per California Education Code § 47612.5, all students are to experience a minimum of 175 days of school and, more specifically, students in grades 6-8 to experience a minimum of 54,000 minutes. Students at VCMS receive 55,505 instructional minutes, exceeding the minimum 54,000 minutes required for traditional and charter public schools under California Education Code § 47612.5. All VCMS students will have 131 regular days and 44 early dismissal days, for a total of 175 instructional days. At VCMS a regular day incorporates 355 instructional minutes while early dismissal days incorporate 250 minutes (see chart below).

Furthermore, VCMS will comply with the California Education Code Section 51210(g) physical education requirement of 200 minutes every ten school days for grade 6 and 400 minutes every ten school days for grades 7-8.

Table 9 – Calculation of Instructional Minutes

Grades	Grades Offered	Number of Regular Days	Number of Instr. Minutes per Regular Days	Number of Early Dismiss Days	Number of Instr. Minutes per Early Dismiss Day	Number of Min. Days	Number of Instr. Minutes per Min. Day	Number of Instr. Minutes [other] Days	Number of Instr. Minutes [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.
TK/K	N									0	36000	0	
1	N									0	50400	0	
2	N									0	50400	0	
3	N									0	50400	0	
4	N									0	54000	0	
5	N									0	54000	0	
6	Y	131	355	44	250	0	N/A	0	N/A	175	54000	55505	+1,505
7	Y	131	355	44	250	0	N/A	0	N/A	175	54000	55505	+1,505
8	Y	131	355	44	250	0	N/A	0	N/A	175	54000	55505	+1,505
9	N									0	64800	0	
10	N									0	64800	0	
11	N									0	64800	0	
12	N									0	64800	0	

Professional Development

25. Ongoing Professional Development

VCMS provides extensive professional development (PD) for its staff. Prior to the first school day, the Charter School has a 10-day PD institute. Multiple pupil-free days during the school year are devoted to PD. Every Thursday is an early release day, with school ending approximately two hours early to allow teachers time for PD.

The anticipated professional development plan for the 2020-21 School year is as follows (Please note that the professional development plan is data driven, and is therefore subject to change as needed based on data collected by teachers and the principal.):

Professional Development Goals:

1. Increase capacity amongst the teaching staff to facilitate high quality problem-based and project-based learning, as defined in the VCMS charter
2. Increase collaboration amongst staff, both cross-curricular within a grade level and vertically within a content area
3. Increase data-driven instruction as defined in the VCMS charter, providing an equitable and differentiated curriculum, through the thoughtful use of internal progress monitoring data, teacher observations, and thorough understanding of IEP's, 504 plans, GATE testing results, and ELPAC test data
4. Increase capacity to provide effective social-emotional learning, both in advisory classes and in content area classes
5. Increase capacity for effective classroom management that leads to the ability to implement a rigorous PBL curriculum

As part of our commitment to a constructivist educational approach, PD each year includes shared readings of current educational literature on constructivism. Past readings have included: Selections from Kritt, David W. *Constructivist Education in an Age of Accountability*. 1st Ed. 2018. ed. 2018

Selections from McAuliffe, G., & Eriksen, K. (2002). *Teaching strategies for constructivist and developmental counselor education*. Westport, Conn.: Bergin & Garvey.

Selections from Phillips, D. (2000). *Constructivism in education: Opinions and second opinions on controversial issues* (Yearbook of the National Society for the Study of Education; 99th, pt. 1). Chicago, Ill.: National Society for the Study of Education: Distributed by the University of Chicago Press.

Selections from Duffy, T., & Tobias, S. (2009). *Constructivist instruction: Success or failure?* New York: Routledge.

Activities to Address these Goals:

1. Lesson Shares
 - a. Teachers will develop a year plan of standards-based PBL units. They will share this with an administrator to get feedback. They will then present the unit to the staff using the critical friends protocol for feedback and revision.
 - b. Three times per year, teachers will prepare a detailed project description using the PBLWorks Outline. The description will be shared with the staff using the tuning protocol.
2. Team Meetings: Teachers will be provided with 30 minutes per week of team meeting time, which will alternate between grade level and content area teams. Team meetings will follow this agenda:
 - a. Each team member will briefly share what is going on in their class (10 minutes)
 - b. Each team member will share feedback about what is going on in the others classes (10 minutes)
 - c. Open conversation about issues such as vertical alignment, cross-curricular connections, resource needs, etc. (10 minutes)
3. Data Discussions
 - a. During August PD, the special education administrator will review common strategies for working with students who have disabilities, and the specific IEP's of students enrolled during the 20-21 school year

- b. After each administration of the NWEA Maps testing, results will be compiled and analyzed using a data analysis protocol. Each teacher will develop an action plan for classroom lesson planning based on these data.
 - c. Data from SBAC testing will be analyzed as described above
- 4. Advisory Planning
 - a. During August PD, each grade level will work collaboratively to develop a common scope and sequence for their grade level advisory
 - b. During every other grade level team meeting (monthly) progress in advisory classes will be discussed and refined.
- 5. Management Book Club Discussions
 - a. A book related to classroom management in the PBL classroom will be selected by administrators. Teachers will read the book over the course of the year and will engage in discussions based on guided questions created by administrators.

26. Recruitment

VCMS seeks to recruit teachers who embrace a philosophy similar to ours as indicated in the mission statement, vision statement, and instructional design sections of this Element. While we seek experienced and knowledgeable teachers who complement our learning community, we are also committed educating a new generation of teachers and to the internal promotion of our assistant teachers who have shown talent and interest in becoming a teacher. Indeed, three of our current classroom teachers began their careers as assistant teachers at VCMS.

Our teacher recruitment process utilizes the online job sites such as edjoin, conferences (California Charter Schools Association, Association of Supervision and Curriculum Development, etc.), local education job fairs, and agencies (Diverse Charter Schools Coalition, Teachers on Demand, etc.). Guided by the descriptions found in Element 5, the principal and Executive Director seek to hire a diverse, fully certificated staff that has a depth of knowledge in his/her content area(s) as well as a commitment to problem-based learning, data driven instruction and backward design curriculum construction. Potential teachers participate in an interview (led by a panel of administrators and teachers) and a model lesson with students.

Professional Development for New Teachers

As part of our onboarding procedure, new teachers are provided with training specifically addressing the school's educational program. All new English teachers attend Reading and Writing Workshop summer training provided by Growing Educators. New Science and History teachers attend training on project-based learning from PBLWorks. Additionally, all new teachers are paired with a mentor, preferably in their subject area, who meeting with them every other week to discuss successes and challenges, and plan lessons and assessments together.

Meeting the Needs of All Students

Since our constructivist, project-based educational program emphasizes individualization and data driven instruction, our special needs populations (English Learners, Gifted and Talented Students, Students Achieving Below Grade Level, Socioeconomically Disadvantaged/Low Income Students and Students With Disabilities) can receive differentiated instruction that focuses on their needs and capitalizes on their strengths. Coupling this with a number of other

essential components can ensure that students with special needs receive the most effective and individualized education possible. The essential components of the program include:

1. Small class sizes which allow the teachers to truly know their students;
2. A significant amount of instructional planning time
3. A culture among teachers of openness and collaboration, including weekly team planning sessions and regular professional development activities, allowing teachers to learn from each other's varying expertise in handling learning differences
4. Ongoing communication between teachers and parents and a commitment to work together for the education of their children
5. Various forms of assessment that are used to guide instruction
6. Learning goals that are clearly articulated
7. High expectations for all students

27. English Learners

"Students achieve (second-language acquisition) significantly better in programs that teach language through cognitively-complex content, taught through problem-solving, discovery-learning in highly interactive classroom content.... In the long term, students do less well in programs that focus on discrete units of language taught in a structured, sequenced curriculum with the learner treated as a passive recipient of knowledge." -- Virginia P. Collier

VCMS implements its own English Learner Master Plan and shall comply with federal, state, and district mandates regarding English Learner education and the classification of EL students. We shall meet all requirements of federal and state law relative to equal access to the curriculum for English Learners. Our goal is to meet the educational needs of all students in an environment that fosters an appreciation and understanding of other languages and cultures.

English Learners (ELs) have full access to VCMS' educational program. All students will develop as English speakers, readers, and writers, and all cultures and languages are honored and integrated into the community as much as possible. At all times, our students' primary language is honored and valued as both an instructional tool and a learning resource for all students in the class. The entire school community is enriched by the multilingual and multicultural qualities of its students.

Process for Identifying English Learners

A Home Language Survey is solicited from every parent on the enrollment form given upon the student's admittance. The purpose of the Home Language Survey 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. Children of parents who list a language other than English in response to any of the questions of the Home Language Survey, who are not already identified as English Learners (EL) or reclassified, fully English proficient (RFEP) will be tested with the initial English Language Proficiency Assessment for California (ELPAC) which will determine actual English language proficiency. Students who score Early Advanced or Advanced on the initial ELPAC will be classified as Initially Fluent English Proficient (IFEP) and students who do not will be classified as EL.

The initial ELPAC assessment is performed within 30 days of enrollment for children who have not previously been enrolled in a California Public School.

Parent Notification of Language Status

Schools are required by state and federal law to provide many different kinds of information and notices to parents about their children's school, academic progress, teachers, and more. VCMS makes reasonable efforts to present the information in an understandable format and in a language parents can understand.

The principal is responsible for notifying parents of language status. VCMS notifies parents of children identified by an initial ELPAC for participation in an EL program no more than 30 days¹ after enrollment. For a child identified as in need of an EL program after the start of the school year, parents/guardians are notified within two weeks of placement in a program.

VCMS notifications to parents include the following:

1. The reasons for identifying the child as Limited English Proficient and for placing the child in a language instruction educational program for EL students.
2. Annual notification of the child's level of English proficiency, including how the level was assessed and the status of the child's academic achievement.
3. The instructional methods to be used in the program in which the child is participating or might be assigned to.
4. How the program will meet the educational strengths and needs of the child and specific exit requirements of the program.
5. How the program will help the child learn English and meet age- appropriate academic achievement standards.
6. Notification of the transition to RFEP.

How English Learners are Assessed and Process/Criteria for Reclassification

It is the goal of VCMS for students to progress towards reclassification at a minimum of one ELD level per year. Students who fail to make adequate progress measured by progress reports and report card grades may be referred to the Student Success Team for intervention.

The ELPAC is administered annually to EL students to measure their language acquisition progress.

Review of student progress is ongoing and begins in September, with the review of the previous year's SBAC scores and report card grades. In mid spring, after annual ELPAC scores become available, ELD folders will be reviewed. If scores meet the requirements listed below, the student will move forward on to the second step of the Reclassification process.

The reclassification team (which includes the English teacher and the Principal) reviews teacher recommendations and overall successful classroom performance in academic areas as indicated by report cards, and benchmark/summative assessment type tests. The reclassification team will recommend the student be reclassified to RFEP and parents will receive a notification letter when the following criteria is met:

1. Overall achievement level of 4 on the English Language Proficiency Assessment of California (ELPAC).
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery and

3. A grade of C or better (in Middle School) or a rubric score of 2 or above in reading level or fluency (in Elementary School) in English Language Arts on a progress report or report card; and
4. Parent opinion and consultation; and
5. Comparison of student performance in basic skills against an empirically established range of performance in basic skills of English proficient students of the same age such as the Smarter Balanced Achievement test (score of nearly met or above).

Educational Program for English Language Acquisition

At VCMS students are grouped in classes that implement ELD strategies. Teachers use modeling, graphic organizers and visual aides to support students' recognition of essential information in all academic subject areas.

VCMS teachers are mindful of the stages of language acquisition and differentiated instruction. Students at ELPAC levels 1 and 2 are still learning how to read, write, listen and speak academic English and will benefit most from ELD strategies. Students at levels 3 and 4 and above are taught to use academic English skills in reading, writing, listening and speaking to learn content and will benefit most from SDAIE strategies.

In addition to the above instructional and program strategies, VCMS also uses weekly “Kid Talk” meetings and Student Success Team (SST) meetings to check in on student progress. Kid Talk meetings take place with all of the core teachers of a particular grade, an administrator, and the resources teacher. They take place twice per month and provide an opportunity to talk about students who are struggling and/or needing to be pushed more. SST meetings take place when needed, include the student, parent, teachers, and resource teacher to help create plans to support students, including English Learners.

Pedagogy

Other major components of the VCMS pedagogical approach are based on the ELD Framework. Specifically:

In sixth grade, our ELD students begin the year with a focus on making meaning of their learning based on context clues in reading. They also focus on making their writing more effective through the use of proper conventions and through an examination of the strategies strong writers use (show, don't tell, cite evidence to support opinions, use varied, specific language, etc.) Students also pre-learn academic vocabulary based on what they are learning in other classes.

In seventh grade, our initial focus is on expanding on what was taught in 6th grade. Students continue to make meaning of their learning by engaging in close, critical reading of narrative and informational texts. Writing is also a focus, as students have individual conferences with their ELD teacher to focus on specific skills in which they struggle.

In this way, VCMS expects students to acquire English language skills in reading, writing, listening, speaking, viewing, and thinking and to proficiently meet grade level ELA standards.

Services and Supports

VCMS hires CLAD certified, experienced teachers with full understanding strategies for working with EL students. During professional development, teachers will be trained in specific methods of instruction which support EL students

VCMS provides primary language support to English Learners in the form of bilingual teachers, bilingual aides, bilingual students, and bilingual parent volunteers.

Process for Monitoring Progress

In order to document progress, VCMS teachers receive an ELD folder for each of their EL students that is used to monitor individual progress at the targeted ELD level. These folders include the ELD standards by performance level (emerging, expanding, and bridging) and span grades 6-8. Teachers use these folders to collect student work samples, and check of mastery towards each ELD standard. It is the goal of VCMS for students to progress at a minimum of one ELD level per year. The VCMS EL program will be evaluated yearly based on its progress in meeting these goals. Students who have been reclassified and are labeled as RFEP's are monitored in multiple ways. The assistant principal reviews the SBAC scores and internal assessment scores of such students to determine if they need additional support or intervention.

Strategies for Long Term English Learners

VCMS recognizes that special assistance is needed for long term English learners (LTEL's) and students at risk of becoming LTEL's. Such students are frequently discussed at Kid Talk meetings (described above). Through the use of progress monitoring, the school works to determine the root cause of the student's struggle with language acquisition, so that a specific intervention plan, tailored to the student, can be developed.

28. Gifted and Talented Students and Students Achieving Above Grade Level

The needs of our Gifted and Talented Students (GATE) and students achieving above grade level are addressed in an inclusive way, consistent with our individualized instruction philosophy. The guidelines for GATE instruction call for differentiated instruction, instructional strategies that suit the nature of gifted students, ample opportunities for higher-level conceptual thinking, and time for gifted students to work together.

Our ultimate goal is to provide all students with access to a rigorous, well-rounded curriculum, and to provide all students with extended, enriching, and critical thinking activities that have appropriate depth and pace. We provide a text-rich environment and numerous opportunities for students to delve into subjects more deeply. Many projects are open-ended and give students a chance to adapt their assignments to suit their abilities, interests, and learning modalities. Students often work collaboratively, discussing ideas and concepts, and brainstorming solutions to math, science, and history problems.

Other ways in which our teachers enhance the curriculum for gifted and high achieving students is based on the research of Kaplan (1986):

- Present content that is related to broad-based issues, themes or problems.
- Integrate multiple disciplines into the area of study.
- Present comprehensive, related and mutually reinforcing experiences within an area of study.
- Allow for the in-depth learning of a self-selected topic within the area of study.
- Develop independent or self-directed study skills.
- Develop productive, complex, abstract and/or higher level thinking skills.
- Focus on open-ended tasks.

- Develop research skills and methods.
- Integrate basic skills and higher level thinking skills into the curriculum.
- Encourage the development of products that challenge existing ideas and produce "new" ideas.
- Encourage the development of products that use techniques, materials and forms.
- Encourage the development of self-understanding. For example, recognizing and using one's abilities, becoming self-directed, appreciating likenesses and differences between oneself and others.
- Evaluate student outcomes by using appropriate and specific criteria through self-appraisal, criterion-referenced and/or standardized instruments.

Additionally, GATE students and those achieving above grade level have the opportunity to take accelerated ELA and math classes in 7th and 8th grade, and can begin algebra as early as 7th grade if assessments indicate they are ready.

VCMS will continue to use LAUSD's GATE identification process and policy and will reimburse the District for testing and processing on a fee-for-service basis. If VCMS students participate in the Saturday Conservatory of Fine Arts, we will reimburse on a fee-for-service basis.

The site principal serves as the parent contact for all issues related to GATE. The principal and teachers are also responsible for monitoring such students.

Gifted Students Achieving Below Grade Level

For those students who are gifted but do not have the task commitment, we will apply similar tactics that address our "At Risk" population. By fostering active student involvement in their own learning we will increase student interest and enthusiasm. Teaching self-monitoring and self-management skills will help these students set their own goals and persevere when working on a project. Providing real-world applications can also often be a motivator for such students. Grouping them with more motivated students – both gifted and struggling - will also provide a peer attitudinal model to help engage them in their own learning.

29. Students Achieving Below Grade Level

Each year, VCMS will take proactive steps to identify students who are achieving below grade level. Methods for identification include, but are not limited to, classroom grades, teacher observations, and scores on national normed-referenced tests. Once every two weeks, teachers meet by grade level for "kid talks." During these meetings, teachers will bring up for discussion students who are not making adequate progress in their classes, and/or who are performing below grade level. The purpose of these meetings is fourfold. First, the meetings are designed to determine if students who are below grade level are struggling in all curricular areas, or only in particular subjects. Second, the meetings are a chance for teachers to discuss what steps have already been taken to improve the students' progress. Additionally, the meetings provide teachers the opportunity to determine, in consultation with the principal, what concrete intervention steps will be taken to enable the student to succeed. Finally, the meetings are the time when it is determined when teachers will next meet to discuss the extent to which the selected interventions are enabling the student to succeed.

Informal kid talk meetings are supplemented with data from classroom grades and internal assessments. VCMS utilizes assessment probes from AIMSweb and NWEA Maps, which offer nationally normed standardized tests in the areas of language arts, mathematics, and (in the case of NWEA) science. All students at VCMS take such a probe in all available content areas three times a year as a benchmark assessment. If students score below the 50th percentile on such tests, or if they are not making adequate yearly progress to improve by at least one grade level every year, students are identified as at risk, and offered immediate, strategic academic intervention.

A variety of interventions are available for VCMS students who have been identified as being below grade level. VCMS employs assistant teachers (AT's) in all classes. These individuals are trained to work with struggling students in a small group setting. AT's are able to focus their attention on re-teaching specific skills that were taught in class, since they are in the classroom during all instructional time. Additionally, VCMS utilizes a push-in special education program. RSP teachers are present in the language arts and mathematics classes of students who have IEP's, and are able to offer such students immediate intervention during class time.

Additional opportunities for intervention exist outside of the core content classes. VCMS offers English support and mathematics support classes at all grade levels. These classes are taken before or after school. Students are selected for these classes if they are below grade level, and are not already receiving similar intervention based on their status as an English Learner or special education student. Support classes are designed to re-teach skills taught in class, as well as to teach foundational skills students may be lacking, which preclude them from experiencing success in their current classes. Classes are limited to 10 students to ensure personalized attention.

Additional opportunities for intervention outside the school day also exist. VCMS has a free afterschool program for three hours after school each day. As one component of this program, students are offered daily tutoring in all subject areas. By working closely with the school, tutors are able to target the needs of those students taking part in the program. While the school cannot mandate that all students below grade level participate in the after school program, we engage in active outreach to parents to encourage them to have their children participate.

VCMS engages in frequent monitoring of students who are below grade level. Informally, a portion of each kid talk meeting is devoted to following up on those students who have been previously identified as in need of support. At the meetings, teachers discuss how the previously agreed upon interventions are working. This allows teachers to determine if additional steps are needed. On a more formal basis, students can be recommended for an SST if previous interventions are not proving successful.

30. Socio-Economically Disadvantaged/Low Income Students

We realize that many of the neighborhoods we serve face multiple challenges, and that some of the children within these communities may lack supports and provisions that exist for other families. Socioeconomically disadvantaged/ low income students are identified when they complete the free and reduced lunch application, which is required of all students enrolling at the school. Moreover, VCMS teachers and staff are trained to recognize symptoms and behaviors indicative of a child's need for additional supports, including issues relating to hunger, extreme poverty, and individual families' challenges to meet their child's needs.

Based on the observed needs, a number of services, supports, and enrichment opportunities are available. One such service is free meals. VCMS offers free lunch for all qualifying students, and free breakfast and supper for all students. Additionally, low income students benefit from the activities of our free before and after school program. In the program, students are offered academic support. They also can take part in enrichment classes, including art, robotics, photography, cooking, and instrumental music. The program also includes recreational and competitive sports programs, as well as educational field trips during school breaks. The before school program begins at 7:05 am and the after school program concludes at 6:15, providing a full day program for all students. In addition to free meals and enrichment opportunities, VCMS provides support services for students. We partner with Counseling West to offer free counseling services for any student in need of such services, and all of our students are made aware of health resources in the community, such as the Valley Teen Clinic in North Hollywood, which provides adolescents age 12-19 with low/ no cost medical services, preventative care, and wellness education in a confidential, teen-sensitive environment. Finally, all needed school supplies are provided to any student unable to obtain them.

As we have emphasized throughout this petition, we believe that all students can learn, succeed, and are capable of academic excellence, and that includes our students in need. Our emphasis on community and the responsibility we have to one another within that community extends to the parents and families of our students as well.

Our academic program provides both in and out of classroom opportunities so that all students have enriching experiences that provide both context and knowledge for classroom projects. Classrooms take field trips during the school year to venues such as the Astrocamp, the California Science Center, the Heal the Bay Aquarium, and the Moorpark Teaching Zoo. Together these opportunities allow us to create unifying and enriching school-based experiences for all of our students, regardless of their socio-economic background. The progress of socioeconomically disadvantaged students is monitored through our AIMSWEB data system, including reading fluency, math computation fluency. As with all students, teachers and staff analyze data/assessments and the instructional program is modified accordingly.

31. Foster Youth

Identifying foster youth. Foster youth are identified through their enrollment applications. In addition, we will communicate with social services and the foster families, as relevant, to identify foster youth.

Identifying and meeting the needs of foster youth. We support not only the academic, but also the social emotional needs of students identified as foster youth. The needs of foster youth will be identified by the classroom teacher, with input from the foster family and social worker as appropriate and allowed by law. The classroom teacher will also work with the students, as he/she would any student, to determine his/her individual academic needs. All instruction is differentiated based on students' academic level, which can be influenced by students' previous school experience. Any student who is struggling will be referred to the SSPT process. The administration and special education team will determine if school based counseling is appropriate.

Such students are not monolithic, but they often have a history of trauma. VCMS offers counseling for students determined to need such services, but do not have an IEP. Students are referred by teachers, administrators, or are self-referred. Counseling sessions are 30 minutes per week once per week. Additionally, knowing that we have many types of families at our school, effort is made not to refer to “parents” in school correspondence. The progress of foster youth is monitored by the principal.

Monitoring the progress of foster youth. First and foremost, the progress of foster youth will be monitored by the classroom teacher and administration. If a concern arises, then the SSPT team or the special education team will also monitor his/her progress.

Standard English Learners (SEL)

Cobb (2012) points out that standard English learners (SEL’s) can often be identified by examining the speech patterns of students with below grade level scores on standardized English assessments. To this end, when analyzing the scores of AIMSWeb and NWEA ELA assessments, teachers will consider whether students with low scores are SEL and, if they are, work to incorporate standard English grammar in their lesson. SEL students frequently benefit from similar strategies as EL students, and such strategies are embedded in all of our classes. Our standard English learners also benefit from the robust reading workshop program in our English classes, as well as frequent speaking assignments in all classes. As with all students, students are regularly monitored through AIMSWeb and NWEA Maps assessments. SEL student progress is monitored by the principal.

32. A Typical Day

Students walk through the gates at VCMS between 8:00 and 8:25, and begin their school day with a warm welcome from their principal. Upon entering the campus, some students seek teacher guidance regarding homework, upcoming projects or social issues students may be encountering. Other students may be having breakfast, provided by our before school program, in the courtyard, while others are utilizing the time before their first class for physical activities.

Promptly at 8:30, students arrive to their first class, advisory. Since today is Monday, the teacher announces that during advisory today there will be a school-wide community meeting. Students are selected to play the weekly advisory challenge, which this week is a scavenger hunt. Once seated in the gym for community meeting, the principal begins the meeting by recognizing students who have gone above and beyond at school in the past week. One student is honored for cleaning up the lunch area after school, while another is recognized for working at lunch with a peer group who was struggling in math. After this, the scavenger hunt game is played, and the principal begins a conversation about a school-wide challenge. This week, the principal is discussing the problem of students posting unkind comments about peers on social media. As a school community, the students brainstorm solutions to this problem, and make a commitment to make better choices.

After dismissal, the student goes to first period, language arts. The student makes sure to be on time, ready to learn and fully prepared with her homework and school materials. Upon entering language arts, the student immediately looks at the board and sees that she will need her reader’s notebook, novel, and a pencil. Taking out these materials, she has time to copy down the day’s

homework in her binder. Just after finishing writing, “read for 40 minutes and continue to work on writing in your writer’s notebook” her teacher begins the mini-lesson, which today covers determining the traits of a character based on the actions taken by other characters. At the conclusion of the lessons, students are told to go to their “reading spot,” and our student flops down in a comfortable chair and continues to read *Wonder* by R.J. Palacios. She chose this book because it is at her reading level, and because the idea of fitting in at school seemed interesting to her. As she reads, she notes in her reader’s notebook that the character Jack’s constant attempts to appease the character Julian makes her think that Julian is a bully. Realizing that this relates back to today’s mini-lesson, she makes a note to share it in her next reader’s conference.

The day continues for the student. The next class of the day is science, and after spending several days planning her lab to test the effect of increased temperature on the rate of photosynthesis in an *elodea* plant, it is finally time to set up the experiment. Along with her group, she places one plant in a working freezer and the other in an unplugged freezer. As she does this, her teacher stops by and asks why they are putting the second plant in an unplugged freezer rather than simply leaving it outside at room temperature. The group explains that having one plant in a freezer and one out in the open would create a second independent variable. The teacher is pleased and tells the group that she likes the fact that they not only used science vocabulary but also show an understanding of what the terms mean.

The next class in the schedule is history. The class has been studying Attila the Hun and today will be using three documents in an attempt to determine what happened at the meeting between Attila the Hun and Pope Leo. As the student looks at the first document, a painting by the artist Rafael, she notes the date of the painting and the fanciful images present, all which, in her mind, cast doubt on the authenticity of this document. As she reviews the second document, an account from the meeting written by Paul the Deacon, her teacher stops by her desk to check on her work. She shares her thoughts with her teacher, who asks her if a document written far after the event is always less reliable. She concedes that it is not, and asks her group mates what they think of the first two documents.

After history is lunch, and the student picks up her lunch, finds a table in the courtyard, and chats with friends as she eats. All of her friends are planning on staying after school today for the music enrichment class, and she is excited to know that she will have some friends in the class.

After lunch, the student promptly arrives at her next core class of the day, P.E. Her class heads out to the blacktop and begins some light stretching and warm-up activities. Her teacher then explains that, in preparation for the California Fitness Test, they will be practicing running the mile today. He reminds the students that their only goal should be to beat their last score. Motivated, the student takes off on the run, and manages to improve her time by 20 seconds. Her teacher congratulates her on the good work and reminds her to log today’s time in her fitness journal.

The final class of the day is math. Students enter the class and know to sit in a different section of the room based on whether or not they understood last night’s homework. Since the student did not, she sits on the left side of the room where the assistant teacher immediately begins to re-teach the concept. In the meantime, the math teacher leads a main lesson with the rest of the class. The student is not concerned about missing this, knowing that she will get a lesson from her teacher while the rest of the class is doing independent practice. After her time with the AT,

her teacher begins to go over their next project, in which they will design a water park. The assignment sounds exciting, and the student can't wait to explore profit and loss, geometric theorems, and one step equations in this exciting way.

The school day ends at 3:15, at which point the student says goodbye to some of her friends, and then heads to the after school program. She will have an hour to work on homework before her music class begins. It has been another successful day, full of learning, at VCMS.

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**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 groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.” (Ed. Code § 47605(b)(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(b)(5)(C).)

MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM

Charter School shall meet all statewide content and performance standards and targets. (Ed. Code §§ 47605(c)(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. The measurable goals and objectives for Valley Charter Middle School can be found in the LCFF table (item 8 in element 1)
2. Schoolwide performance targets and targets for subgroups are included in the LCFF table (item 8 in element 1).
3. Not applicable
4. This information is included in the LCFF table (item 8 in element 1).

Methods for Measuring Pupil Progress Toward Outcomes: Formative Assessment

5. Monitoring and Measuring Student Outcomes

Assessment Types and Frequency of assessments. VCMS believes in using multiple assessment measures to gauge student progress. Teachers give multiple formal assessments of student progress. As a formative assessment, each language arts and mathematics teacher conducts a fluency probe using AIMSweb three times per year. These assessments are used to guide instruction and determine the need for intervention. VCMS also uses the NWEA Maps Assessments three times per year in language arts, mathematics, and science. These assessments have the advantage of being able to pinpoint specific standards for which students are excelling or struggling, so that targeted re-teaching can occur. Teachers also give more informal assessments of student progress. As a school focused on problem-based learning, much of the informal assessments in class is based on projects. When teachers assign projects, grades are given not only for the finished project itself, but also for interim steps. This is based on the idea that our role as middle school educators is not only to teach content, but also to teach students how to plan and prepare for a major assignment. Since these assessments are a constant part of the curriculum, they can be given with great frequency, and can immediately inform instruction.

Performance Expectations. It is expected that students will make a minimum of one year's growth in both AIMSWeb and NWEA assessments each year, based on the norm-referenced data provided by the test publishers. Students not on target to make such growth are flagged by teachers conducting data analysis. After such students are flagged, the first step in getting them back on track to discuss the concerns with the grade level team during one of our "kid talk" meetings. Students continuing to struggle to make adequate progress will be recommended for an SST, where the team will develop clear intervention strategies, which may include an intervention class or small group in-class instruction with an assistant teacher.

Informal Assessments. In addition to these formal assessments, teachers frequently conduct more informal checks for understanding while teaching. These include strategies such as indicating their response to a question on a whiteboard, giving a thumbs up or thumbs down to indicate their understanding, or engaging in a think-pair-share. Since students spend much of their classroom time working as a cooperative group, teachers are able to circulate around the classroom, checking on the progress of each group while offering feedback.

Projects look different from class to class, but in all cases students are asked to work collaboratively, think creatively and critically, and use higher order thinking skills to solve an authentic problem or answer a question. In math, for example, students go to the grocery store, and study unit rate by comparing the cost per ounce of two differently-sized packages of the same product. After determining the best value, the students determine how much money they could save per year if they selected the size that was the better buy.

Language arts projects often involve the writing of essays. These are ongoing assessments, with revision a consistent part of the writing process. Students write a draft, submit it, and then get feedback from the teacher. They then use this feedback to create a revised essay. Students continue to revise, reflecting the real process that writers go through. A benefit of this type of assessment is that it can easily be differentiated for each student. Since the writing conferences

held between the student and teacher are individual meetings, the teacher is able to target skills at that student's ability level. Reading assessments are also common in the language arts classroom, be they for fluency, comprehension, or higher order thinking skills. We use, for example, the Fountas and Pinnell Reading Assessment to determine independent and instructional reading levels, the AIMSweb Reading Fluency Exam to determine reading fluency, and the NWEA MAPS assessment to determine specific ELA standards on which students need re-teaching.

In science, one popular project is the cell analogy project. In this assignment, students learn about the parts of a cell, and then create an analogy between the parts of the cell and the parts of another system. For example, students might say that a cell is like a Medieval city, with the cell membrane similar to the city wall, the peroxisome similar to the brave knights, etc. Students are assessed on the logic of their comparisons, the creativity of their ideas, and the artistic merit of the model they make of the system to which they analogized the cell. Labs are also frequent assessment tools in science. Depending on the lab, students might be assessed on the logic of their procedure, the accuracy of data analysis (graphs, charts, responses, to questions, etc.) and/or their concluding paragraph.

Projects in the social studies class are geared around major topics in the curriculum. For example, in the ancient Egypt unit, students examine "burial sites," and determine what the lives of the dead may have looked like based on how they were buried. This serves as an introduction to social structure, daily life, and beliefs of ancient Egypt. After this, students mummify apples and chickens to better understand the mummification process. They make observations and measurements throughout the mummification process and write a report about the process at the end. Students will be learning about life and social structure in ancient Egypt simultaneously and, as a concluding assessment, will write an "obituary" for the chickens based on their social status.

In physical education, assessment is based not only on athletic ability, but also on the other goals of the course – playing fairly, understanding the rules of the game, taking responsibility for actions on and off the field, and always trying to the best of their ability. Seventh graders are also assessed on their progress towards reaching passing levels for the Fitnessgram.

In addition to projects, VCMS teachers do give traditional paper and pencil tests, where students answer completion, short answer, and essay questions. While we do not dispute that such tests have value, it is the belief of our school that we learn more from assessing creative, collaborative projects. For this reason, projects are a greater factor in the overall grade than more traditional assessments.

6. Data Analysis and Reporting

A core tenet of VCMS is using data to drive and guide instruction. The school collects data regularly throughout the year. Within the classroom, teachers collect data every time they give an assessment, whether it is an informal check for understanding, a project, or more traditional paper/pen test. Based on these results, teachers determine who in their class has gaps in understanding, and who has mastered the concept. They can use this information to differentiate their instruction. For students found to be struggling, teachers can re-teach a concept during independent work time or in a support class. For those ready to move forward, the teacher can offer in-class or out of class enrichment opportunities.

VCMS also makes use of standardized tests as a data source. The school uses AIMSweb and NWEA Maps to monitor reading fluency and mathematics computation. Students scoring below the 50th percentile are targeted for intervention, as discussed in Element 1, Section 29. The school also analyzes the results of the Smarter Balanced assessment. While these data cannot show growth over the entire year, these scores are useful in determining the degree to which our efforts to integrate the CCSS have been successful. Where the data show that a particular set of standards were poorly understood, we will re-visit our year plans during our August PD to ensure it is Common Core aligned. ELPAC tests provide a final data source based on standardized test data. These scores, along with the rate at which we re-classify EL students, provides the school an objective measure of the quality of our EL program. Moreover, analyzing ELPAC scores by comparing reading, writing, speaking, and listening scores helps us in determining the areas in which our EL program is the strongest, and the areas in which improvement is needed. During our professional development focused on data analysis, the teaching staff is able to critically examine data and make plans to improve instruction.

Our school shares data with stakeholders in a number of ways. Parents can view their child's grade at any time using our online gradebook. Parents can view their child's SBAC scores, and the change in their child's scores over the past three years. Meetings are held with parents and our board of directors in which administrators review our SBAC data, look at year-to-year trends, and compare our scores with resident schools. During student-led conferences, held twice a year, students share with their parents the work they have done in class and their personal data-driven goals. Finally, we engage with stakeholder groups, including parents and the board, as we develop the LCAP, the formalized representation of our data-based goals for the upcoming years.

7. Grading, Progress Reporting, and Promotion/ Retention

Students receive letter grades (A, B, C, D, or F) in all classes. Grades are based on a combination of homework, class work, projects, and tests. Grades are available for parents and students to view at any time, using our online gradebook. VCMS believes in giving students every opportunity to do their best work, so teachers encourage students to re-do assignments with low scores, and to turn in all projects, even if they are late.

In addition to being able to access grades at any time online, hard copies of progress reports are given to students every other week during advisory class. This provides an opportunity for students to see their progress while there is still ample time to rectify any low scores. By requiring a parent signature on these progress reports, we help ensure that students are sharing their progress reports with their parents. Student-led conferences twice a year, and at this time parents not only get a progress report but also have the opportunity to discuss grades in depth with their child and his or her advisory teacher. Report cards are mailed home twice a year, but given the ready availability of progress reports (both in electronic form and hard copy) there should never be a "surprise" on an end of semester report card. More frequent grade reports are mailed or sent home upon parent request or for struggling students.

Participation in end of year activities is important to many of our culminating eighth grade students. All students have the opportunity to be a part of the formal culmination ceremony, regardless of grades. Participation in end of the year social events (generally consisting of a trip

to Six Flags Magic Mountain's grad night and an end of year party) is based on grades. Students who have received more than four D's or F's during their middle school career are not allowed to take part in these activities. However, we strongly believe in providing students with opportunities to improve, and therefore offer multiple options for students to make up low grades. Students can make up a D or F by successfully completing our summer program. Additionally, eighth grade students who are ineligible for activities are provided the opportunity to become eligible by completing a success plan. The success plan requires students to meet with a teacher for weekly one on one support over a period of eight weeks, must maintain good attendance, and must complete a service project to support the VCMS community. During the 2018-2019 school year, 63% of previously ineligible students became eligible through the completion of a success plan.

If a student is not making adequate academic progress and becomes a candidate for retention, the school will notify the parent in writing and will also contact the parent by phone. The child's teacher will consult with the principal and parent in each case concerning possible retention. In all cases, parents will be encouraged to remain involved throughout the process. We have found retention most successful when parents agree with the decision to retain, therefore we value and strongly consider their input. After interventions have been implemented and the results documented, a collaborative decision to retain may be made.

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(b)(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 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 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(b).

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.¹

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 Public Records Act.

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

¹The District is in the process of compiling a list of LAUSD policies that apply to its authorized charter schools. The list will be finalized by April 1, 2018. Charter Schools Division staff will annually review District policies and make recommendations to the LAUSD Board of Education on continued application to charter schools.

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. 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.

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.

Non-profit Public Benefit Corporation

VCMS is a directly funded independent charter school and is operated by Valley Charter School ("VCS"), a California non-profit public benefit corporation with 501(c)(3) tax-exempt status. Valley Charter School also operates Valley Charter Elementary School ("VCES").

The Charter School will operate 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 Education Code Section 47604(d), 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.

Board of Directors Responsibilities, Composition and Member Selection

Responsibilities

The Valley Charter School Board of Directors ("Board of Directors" or "Board") is responsible for all legal and fiduciary matters involving both VCES and VCMS. The Board provides fiscal accountability by approving and monitoring budgets and other financial matters. The Board also helps ensure effective organizational planning by approving long-range goals and annual objectives, and monitoring such issues as health and safety, and the use and maintenance of facilities. The Board has the responsibility for hiring and evaluating the Executive Director. Approving the yearly budget, contributing to the financial well-being of the Charter School, fiscal oversight, compliance, and upholding the mission of the Charter School as outlined in the charter are essential responsibilities of the Board. In accordance with our school culture, the Board strives for consensus in making decisions and taking actions. If consensus cannot be reached, decisions are made by majority vote.

The Board of Directors attend an annual in-service for the purposes of training individual board members on their responsibilities with topics to include at minimum Conflicts of Interest and the Brown Act. The Board will partner with the California Charter Schools Association

(“CCSA”) and/or other experienced board governance professionals to provide in-service trainings on the Brown Act, conflicts of interest and other charter school governance practices.

The Board creates committees as needed to address issues related to fulfilling the mission or operational needs of VCMS. Committees may include: Development, Governance/Nominating Committee, Finance, Strategic Planning and Assessment, and Site Development.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with this charter or the purposes for which schools are established.

Composition of Board, Election, and Terms of Office

The Board of Directors is made up of Directors with expertise in education, finance/accounting, and nonprofit and community organizations. The Board of Directors consists of at least five (5) and no more than fifteen (15) members. Currently, the Board has nine (9) Directors. The Governance/Nominating Committee of the Board, if appointed, will interview and propose all candidates to the full Board for vote. If a Governance/Nominating Committee is not appointed, the Board of Directors will interview all candidates. Families of current VCMS students and families of current VCMS students each elect one parent representative to the board annually. The Board of Directors will NOT include the Executive Director or Charter School Principal, but will include an LAUSD representative, at the District’s election, in accordance with Education Code Section 47604(c). Consistent with the corporate Bylaws, the Board of Directors shall be composed of no less than five (5) and no more than fifteen (15) directors, and shall include at least: (i) one (1) parent of an actively enrolled student of each Valley Charter school; (ii) one (1) educator with experience and expertise in the field of learning and teaching that is developed and practiced at Valley Charter School, but who is not currently employed by any Valley Charter School; and (iii) one (1) representative appointed by the LAUSD Board. The Board may elect or appoint additional directors through the majority vote of the then-existing Board. Each director shall be elected to office for a two (2) year term, and until a successor director has been designated and qualified.

Desirable qualifications for Board Members include:

1. Commitment to our mission, vision, and design elements
2. Professional experience that complements the expertise of the existing Board.
3. Ethnic, linguistic, and/or socioeconomic diversity that approximates our student populations.
4. Professional educators with experience in high performing, successful schools.
5. Nonprofit leadership experience or prior board experience.
6. Development experience and/or capacity to attract new resources to the school.

Process for Selecting Board Members

Any member of the community may refer a potential candidate to the Board’s Governance/Nominating Committee, if appointed, for consideration either when there is a mid-term vacancy or an upcoming expiration of a regular Board term. The Governance/Nominating Committee will meet with all prospective candidates to determine whether or not to recommend them as candidates to the Board and whether they fit the stated needs of the Board recruitment strategy. If the candidate meets the needs of the Board at that time, the Governance/Nominating Committee will present the Nomination and the candidate’s resume during a Board meeting. If

any Board members have questions or want to meet the potential member, the Governance/Nominating Committee will facilitate such a meeting. The Board strives for unanimous support for new Board Members, but per the Bylaws, a simple majority is all that is needed.

If a Governance Committee is not appointed, Board membership will be determined by simple majority vote.

Any parent representative on the Board must be a parent of an actively enrolled student of a Valley Charter School. Such parent representative shall automatically be deemed to have resigned from and removed from the Board if the child of such individual no longer attends Valley Charter School.

Governance Procedures and Operations

Regular meetings of the Board of Directors shall be held on a regular basis from time to time as designated by the Board and in accordance with the Brown Act. All Board meetings are open to parents, the community, and staff and language interpreters are made available upon request.

Notice of Board meetings are posted in accordance with the Brown Act on our community email forum and in public places around the Charter School site. Meetings are noticed in accordance with Brown Act requirements. The regular meeting schedule is publicized at the beginning of every academic year and each meeting is noticed 72 hours prior to the meeting along with the agenda. Special meetings are noticed 24 hours prior. Meeting agendas are posted on the VCMS website, physical copies are posted outside of the Charter School, main office and copies are available during the meetings. The Board secretary records Board actions within the minutes that are approved on a regular basis. Minutes and all meeting materials are available in the Charter School's central office for inspection by the public and on our website.

Meetings require quorum (a majority of the directors then in office). If there is less than a quorum at the inception of a meeting, the meeting shall be adjourned. All agenda items are noted on the agenda as being updates, discussion, or action items. In order for the Board to take action on an item, that item must be on the agenda as an action item prior to the meeting. When actions are being voted upon, a director must make a motion, and another director can second. Discussions are held as needed, and then votes are taken by roll call. The Secretary records the motion, and who made it and seconded, and records the votes or abstentions of each Board member.

Board meetings shall be held within the physical boundaries of Los Angeles County, and a two-way teleconference location shall be established at each schoolsite, in accordance with Education Code Section 47604.1(c)(3). Directors may participate in teleconference meetings in compliance with Brown Act requirements and as outlined in the Bylaws.

Role of Administrative Leadership

Information about the roles and responsibilities and qualifications for all employees, including the Executive Director and Principal are included below in Element 5.

Parent/Stakeholder Involvement

Separate and independent of the Parent/Faculty Council and Board of Directors, all parents are invited to join any of the committees in which they have an interest. Parent committees do not have a governing role in the Charter School, but rather serve as a means for coordinating volunteer efforts and planning Charter School events under the supervision of the Principal. These committees are formed based on need at the request of the Principal or at the suggestion of parents, pending the approval of the Principal. The parent committees report back to the Parent/Faculty Council. Current parent committees include:

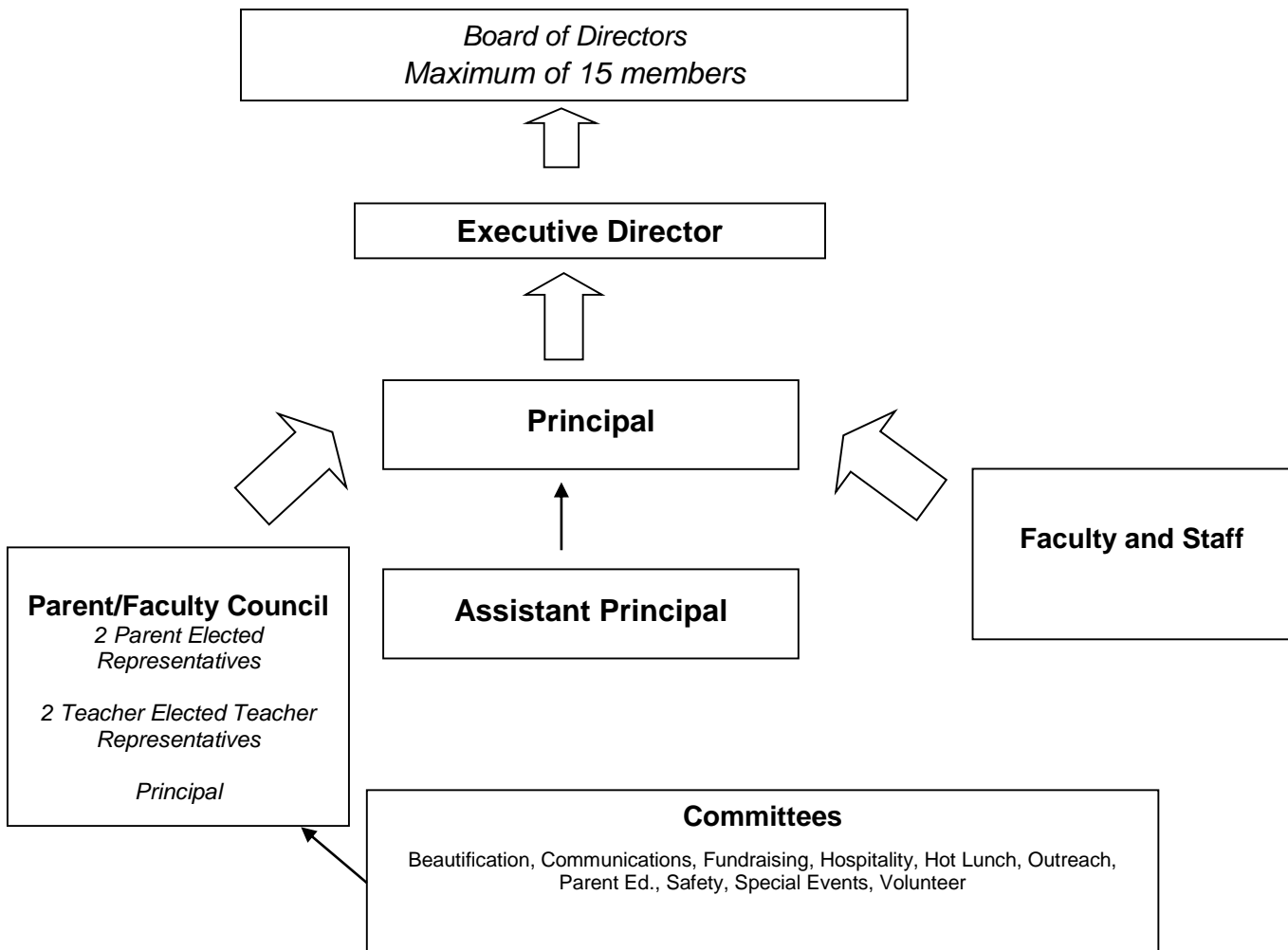
In addition to the Parent/Faculty Council (described below), the Charter School consults with parents and faculty on a regular basis regarding the Charter School's educational programs, pursuant to Education Code Section 47605(c). The Charter School also maintains a school website to post copies of important announcements, deadlines, and Board meeting information to ensure stakeholder involvement.

- **Beautification Committee** - The Beautification Committee helps to improve the VCMS campus by organizing cleanup days, greening up outdoor spaces and providing necessary repairs.
- **Communications Committee** - The Communications Committee creates and manages content that supports our Charter School committees and communicates with our families, prospective families, donors and partners. Sub-committees include: The Scoop! Newsletter, VCS Website, eBlast, Yearbook and Marketing Materials.
- **Fundraising Committee** - The Fundraising Committee is a large committee whose main goal is to achieve the fundraising objective set forth by the Board of Directors in the annual school budget. Sub-committees include: Annual Giving Campaign (an annual fundraising campaign, which is a voluntary campaign that both individuals and organizations can contribute to. Parents are not required to make any financial contributions to this campaign), Sprint Event, Grant Writing, Jogathon, and Merchandising.
- **Hospitality Committee** - The Hospitality Committee supports many of the events that take place at VCMS, including Welcome Picnic, Back To School Night, Prospective Parent Nights, Teacher Appreciation, Principal and Parent/Faculty Council Meetings, Open House and some of the Fundraising and Special Events. Hospitality also ensures support for families during challenging times.
- **Hot Lunch Committee** - The Hot Lunch Committee serves a daily hot lunch to the students of VCMS. Set up is at 11:45 a.m. and services finishes by 12:45 p.m. Parents who volunteer to serve hot lunch are asked to commit to a minimum of two lunches each month. In accordance with Education Code Section 47605(n), the Charter School shall notify parents and guardians that parental involvement is not a requirement for acceptance to, or continued enrollment at the Charter School.
- **Outreach Committee** - The Outreach Committee's main goal is to create a highly diverse student population at VCMS. Volunteering involves reaching out to new communities and building partnerships, assisting with school tours, orientation meetings

and various outreach events.

- **Parent Education Committee** - Parent Ed is a small committee that works to bring speakers to VCMS to talk on various parent education/child development topics that reflect and support the values and philosophy of the Charter School.
- **Safety Committee** - Members of the Safety Committee collect, organize and store comfort kits and emergency cards for each new student and update those items for existing students. Members also update all Charter School emergency supplies and assist the Principal and faculty in emergency preparedness needs.
- **Special Events Committee** - The Special Events Committee fosters a sense of community, school spirit and FUN through non-fundraising community events. Volunteer efforts include chairing events, planning activities, soliciting donations, making decorations, promoting events, planning menus/making food, securing entertainment/speakers, and volunteering at the event.
- **Volunteer Committee** - The Volunteer Committee works with parents by finding appropriate and achievable volunteer opportunities. Parent support and volunteerism is valued. Volunteerism is neither a condition of enrollment nor of continued enrollment. The committee also supports general committee development

Governance Structure*



* Description of the major roles and responsibilities, within the governance structure, of VCS' Board of Directors and executive-level employees may be found in Element 5 under Key Employee Positions and Qualifications.

Element 5 - Employee Qualification

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

VCMS is committed to recruiting and hiring a community of professionals who are dedicated to the best practices education of all students. Regardless of his or her role in the Charter School, every person hired by VCMS actively helps to promote the curricular philosophy, instructional program and the Charter School community’s guiding principles. All requirements for employment set forth in applicable provisions of law will be met.

All staff are expected to be sensitive to the linguistic and cultural needs of students, and to participate in staff development to enhance their skills in this area.

The administrative positions for VCMS include:

- Executive Director
- VCMS Principal
- Office Manager

Executive Director

The Executive Director holds responsibility, accountability and authority for the Charter School’s overall performance and success in fulfilling the Charter School’s mission. It is the primary responsibility of the ED to ensure the organization meets annual revenue goals and generates an appropriate surplus without compromising the quality of the program, securing the Charter School’s long-term sustainability.

The ED reports to the Board of Directors and is responsible for the overall operations of all of the charter schools operated by Valley Charter School. The ED hires and evaluates the Charter School Principal.

Minimum qualifications:

- Have at least three years of executive leadership experience.
- Have a master's degree in school administration or a relevant field.
- Have experience with development and fundraising.
- Have experience managing a complex budget, including working with restricted revenue streams.
- Be a highly collaborative, results-oriented, adaptable, problem-solving self-starter who seeks feedback to continue professional growth.
- Have excellent written and verbal communication skills.
- Commitment to and experience working with students from diverse backgrounds with unique academic and personal needs.

Specific qualifications include:

Management and Leadership Experience: The ideal candidate has extensive management experience with a record of success in leading and sustaining a school, fundraising, budgeting, government relations, and marketing. S/he has the ability to inspire excellence from a diverse staff and to leverage the talents of the Board of Directors. S/he is a confident decision-maker and possesses the ability to facilitate collaboration and teamwork.

Visionary Experience: As the charter school landscape is changing quickly, there will be many opportunities to take a leadership role in shaping the future of the charter school movement through partnering, innovation, and persuasion. The ideal candidate is able to think creatively and envision new ways of cultivating and expanding partnerships within the public and private sectors.

Passion for Educational Excellence: Experience in the field of education is required, with knowledge of excellent schools beyond those affiliated with LAUSD is absolutely essential. In addition, the candidate must demonstrate an ability to communicate a genuine passion for advancing educational achievement in diverse communities and embody the mission and vision of VCMS.

Fundraising Focus: The ED must be able to make a compelling case for resources in an increasingly competitive environment. S/he must see building and maintaining relationships with individuals, foundations, members of the private sector, and government grant makers as an essential part of his/her role. Staying abreast of changing funding opportunities and challenges and working them to the Charter School's advantage will be a critical component of this position.

Responsibilities include:

- Extend fundraising beyond the Charter School community to include outside sources of funds
- Facilitate strategic planning with the Board of Directors
- Create big picture educational program strategies with the Principal, but also respect the autonomy of the Principal in fulfilling the educational mission of the Charter School
- Diagnose the gaps between where the Charter School is versus where it aspires to be, and ensure that strategies and practices are implemented to close these gaps
- Develop and retain high-performing individuals who are passionate about the Charter School and its mission

- Ensure that the annual fundraising target is met as well as additional funds to ensure long-term financial sustainability
- Develop and maintain relationships with philanthropic, business, and public sectors to increase awareness of the Charter School and increase its donor base within a competitive nonprofit (specifically charter school) funding environment
- Work with the Board on a capital campaign to secure and develop permanent site(s)
- Oversee and manage the operating budget
- Ensure that VCS has suitable school site(s)
- Oversee Charter School compliance with all applicable laws, regulatory reporting, contractual obligations, and donor restrictions
- Ensure that an effective performance management system is in place for all staff under his/her direct supervision
- Represent the Charter School as a leader in the California charter school community in all advocacy efforts (e.g., legislative efforts to sustain charter school funding levels) as well as a community leaders to maintain support from the local communities
- Develop and maintain effective relationships with the LAUSD Charter Schools Division, school faculty and staff, students, parents, community members, partner businesses and organizations, and current and prospective supporters

VCMS Principal

The Principal of VCMS is the educational and instructional leader of the Charter School, and works with the ED to create systems that ensure a data driven, project-based, standards-based, constructivist educational program.

A personnel committee may be formed as needed by the Executive Director in order to support efforts in hiring the Charter School Principal. The Executive Director is responsible for hiring the Principal, who is ultimately responsible for hiring faculty and staff.

Minimum qualifications include:

- Experience as a middle and/or high school leader
- 3-5 years of teaching experience, preferably in upper elementary or middle school
- Graduate of a recognized college or university with a master's level or higher degree
- A valid California Administrative Services credential preferred
- Bilingual Spanish speaker preferred

Specific qualifications include:

Our ideal Principal is a visionary whose experience, knowledge, and drive will set the tone for a supportive school climate that challenges our motivated students, teachers, and families to achieve academic excellence, character growth, and social change. Resourcefulness, flexibility, and an entrepreneurial spirit are key qualities for a charter school leader. A required qualification is the ability of the Principal to effectively implement a data driven instructional program and a project-based curriculum.

The ideal candidate will have (these are preferable but not required):

- Teaching experience in a variety of grade levels;
- A Master's Degree in Education and/or Administrative Credential (prior administrative experience desirable);

- Experience in a charter or independent school or traditional public school that has record of high achievement;
- Knowledge of or experience with diverse populations, English learners and GATE;
- Experience with a constructivist approach to teaching and learning; backward design and creation of a project-based curriculum; commitment to incorporating learning goals beyond the state standards;
- Strong computer skills;
- Excellent communication skills; experience motivating and working with parent volunteers; and
- A track record as a successful and progressive educator.

Responsibilities include:

Educational Leadership:

- Provide hands-on guidance to teachers as they create a project-based curriculum that relies on rubrics to assess student learning of both State Standards and additional learning goals (the Charter School’s definition of an educated person in the 21st century);
- Lead backward design curriculum creation efforts that ensure students will master State Standards and be prepared for state standardized assessments.
- Use multiple sources of data to develop a data-driven instructional plan for the improvement of student achievement;
- Help teachers develop their pedagogy in light of recent research on brain development and in keeping with a constructivist approach to teaching and learning;
- Work with teachers to develop a teacher evaluation process;
- Develop partnerships with university researchers to support teacher's action research endeavors;
- Develop partnerships with similar schools to enable VCMS teachers to be both learners and mentors;
- Lead the design and implementation of the Charter School’s programs for Special Education, EL, and GATE students;
- Hire and retain high quality faculty and staff;
- Promote the Charter School mission and philosophy throughout the Charter School community;
- Day to day site management with a commitment to ensuring the health and safety of students, faculty and staff.

Charter School and Community Relations:

- Participate in all aspects of Charter renewal, review and compliance;
- Work with the ED in the strategic planning for the growth of the Charter School;
- Schedule and participate in regular family and community meetings;
- Encourage and develop parent/guardian involvement/partnerships;
- Maintain positive relationships with LAUSD and its related entities;

Charter School Management:

- Budget creation with the ED; Charter renewal; Outreach & Partnerships.

Teaching Staff

All VCMS classroom teachers (of core classes), enrichment teachers (of non-core classes), and all paraprofessionals shall meet the requirements for employment of Education Code sections 47605(1) and 45330, respectively, and the applicable provisions of *ESSA*. Evidence of all required credentials is maintained on file and monitored by the Principal at VCMS, and made available to

LAUSD upon request. The Charter School Principal holds the responsibility to monitor credentials.

The VCMS Principal selects the teachers on an application, interview and teaching observation basis, with the help of a personnel committee per the discretion of the Principal. Selection of teachers is based on their teaching experience and their ability to demonstrate curriculum creation, implementation and assessment and classroom instructional capabilities. All candidates are required to teach a model lesson either at the Charter School or at their current place of work.

Classroom Teacher

The ideal middle school teaching candidate has the following minimum qualifications:

- 2+ years experience teaching the relevant grades
- Maintains a valid and current California teaching credential appropriate to their assignment.
- Experience with and passion for pedagogical practices grounded in constructivism and differentiated instruction
- Experience with and interest in creating project-based curriculum that is standards-based and incorporates additional learning goals that reflect the multiple intelligences.
- Commitment to the VCMS mission and the goals of the VCMS charter
- Experience with and/or desire to develop as a professional educator

Responsibilities include:

- Preparing and implementing project-based curriculum that lead to student investigations and multiple assessments
- Pedagogical methods that emphasize active learning strategies
- Assessing student progress and maintaining accurate records
- Maintaining frequent communication with students, student's families, colleagues, and other school stakeholders
- Maintaining regular, punctual attendance

Resource Specialist Teacher

The Resource Specialist Teacher candidate has the following minimum qualifications:

- 2+ years experience teaching experience in the field of special education
- Holds at minimum a current and valid Education Specialist Credential and ideally, a Resource Specialist Authorization
- Experience with and passion for pedagogical practices grounded in constructivism and differentiated instruction
- Experience with and interest in assisting in modifying curriculum that is State Standards-based and incorporating additional learning goals that reflect the multiple intelligences.
- Commitment to the VCMS mission and the goals of the VCMS charter
- Experience with and/or desire to develop as a professional educator

Responsibilities include:

- Prepare student education plans in consultation with parents and IEP team members.
- Design instruction, both individual and small group, which parallels the general education curriculum.
- Act as case manager for all IEPs.

- Use Welligent for IEP documentation.
- Monitor student progress, participate in review and revision of IEP, as appropriate.
- Assess students with IEPs or possible IEPs.
- Maintain appropriate student data and other records and submit reports as required.
- Act as inclusion facilitator by providing support to teachers (planning, co-teaching, etc.) and social lessons in the classrooms.
- Attend all IEP meetings and parent-teacher conferences, when appropriate.
- Perform other duties as assigned.

Assistant Teachers

The VCMS Principal works with each classroom teacher in order to select a teacher's aide. The VCMS Principal or teacher committee reviews incoming resumes and identifies individuals with appropriate qualifications, then the teacher interviews and, if time allows, spends time observing and working with the potential assistant.

Minimum qualifications include:

- An Associate's Degree or 48 college credits; Bachelor's degree preferred.
- Demonstrated ability to respect diversity and help children develop a positive self-image as successful learners.
- The ideal candidate has completed coursework in the education of middle grade children and has experience working with middle age children in a school setting.

Responsibilities include:

- Work as a teaching aide under the direction of the classroom teacher and Principal.
- The aide assists the teacher in providing a creative learning environment that embraces constructivist principles of teaching and learning.
- S/he works with students individually and in small group activities.
- Supervises students during recess and lunch
- In addition, s/he assists in the documentation of pupil progress, the making/preparing of instructional materials and the performance of other duties related to fostering a community of learners in the classroom.

Office Manager/Office Staff

The Office Manager is hired by and reports to the Principal. The role of the Office Manager is to assure the smooth and efficient operation of the Charter School office to maximize the positive impact of education for all students; to contribute to school/public relations by prompt and courteous handling of all inquiries and visitors; and to assist and relieve the Principal of paperwork and impediments so that he/she may devote maximum attention to the central issues of education and educational administration.

Minimum qualifications include:

- Operate standard office equipment including pertinent software and spreadsheet/database applications
- Plan/manage projects
- Perform basic bookkeeping and record keeping
- Communicate and write with appropriate grammar and punctuation
- Maintain confidentiality

- Meet deadlines and schedules
- Set priorities
- Work as part of a team
- Work with continual interruptions

Responsibilities include:

- Serve as office receptionist; answers and responds to telephone and in-person inquiries from students, parents, and the public. Receives, sorts, and distributes mail; prepares outgoing items for mailing. Greets visitors for the purpose of providing direction and/or ensuring that visitors sign in/out as required.
- Maintains documents, files and records (e.g. administrative and financial records, Principal's calendar, registration, all forms, student cumulative folders, attendance records, report cards, data processing records, testing materials, immunization records, financial information, inventory records, etc.) for the purpose of providing up-to-date reference and audit trail.
- Process applications for the Free and Reduced Lunch program; explains program to parents; forwards information to Food Service Department. Distributes, retrieves, and summarizes federal survey forms.
- Type accident reports; forwards accident report information promptly.
- Monitor behavior of students in the office area; oversees behavior of students sent to office for disciplinary reasons.
- Coordinate a variety of programs and/or activities (e.g. staff trainings, work assignments, etc.) for the purpose of ensuring availability of facilities and/or equipment and delivering services in compliance with established guidelines.
- Disseminate all school notes and forms, and compile the information contained thereon and transmit such forms as appropriate (such as emergency cards, photo authorizations, school roster releases, etc.).
- Maintain up-to-date student roster lists.

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 include the requirement that each employee of the charter school furnish it with a criminal record summary as described in Section 44237.” (Ed. Code § 47605(b)(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 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 AB 1432 (2014).

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.

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

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.

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.

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, including but not limited to the requirements of SB 277 (2015), related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain 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 grades 7-12, Charter School shall comply with the requirements of AB 2246 (2016), 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. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

Custodian of Records

The charter school principal shall be the custodian of records per the California Department of Justice requirement.

Health and Wellness

At VCMS we believe in educating the whole child. One aspect of holistic education is teaching healthy lifestyle choices. Good nutrition is vital to a child's physical, emotional, and academic development. "It is important that those concerned about the wellness of our children spread a common message to the community, that a child's healthy body and mind has a foundation in the food and beverage choices available and made both at school and elsewhere." Refer to www.ADADCmideast.com for additional information.

We encourage healthy eating by:

- Working closely with our hot lunch provider to ensure that there will be balanced meals, with an emphasis on fresh, locally grown produce, on a daily basis;
- Encouraging parents to send snacks and lunches that are healthy:
 - Fresh fruits and vegetables, protein, complex carbohydrates;
 - Limited refined sugar, trans fats, and artificial sweeteners;
- Asking that students *not bring soda or candy* to school; and

- Notifying parents ahead of time of school celebrations that involve food.

In accordance with AB 2601, Valley Charter Middle School will offer sexual health education and human immunodeficiency virus (HIV) prevention education to students in grades 6-8.

Students at each grade level will have five class sessions, taught by health educators from the organization “More than Sex Ed.” Topics will include:

6th Grade:

- Body Image
- Changes of Puberty
- Gender
- Decisions and Actions
- Healthy Relationships and Communication (basic course)

7th Grade:

- Anatomy and Physiology of the Reproductive System
- Gender Identity and Sexual Orientation
- Sexually Transmitted Infections (STI’s) including HIV
- Contraception and Safer Sex
- Redefining Abstinence

8th Grade:

- Consent Education
- Gender Expression, Gender Roles, and Stereotypes
- Sexual Decision Making
- Relationship Skills
- Healthy Relationships and Communication (advanced course)

School Safety Plan

The Charter School shall adopt a School Safety Plan with input from classified/certificated employees, first responders, and the Los Angeles Fire Department. The plan will be reviewed and updated by March 1 of every year, which shall include 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, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(H):

- 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
- procedures for conducting tactical responses to criminal incidents

- procedures for conducting tactical responses to criminal incidents, including procedures related to persons with guns on school campuses and at school-related functions.

Element 7 - Means to Achieve Racial and Ethnic Balance

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(b)(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.

VCMS is committed to making every effort to recruit students from various racial and ethnic groups so as to achieve a balance that is reflective of the general population residing within the territorial jurisdiction of the District. VCMS maintains an accurate accounting of ethnic and racial balance of students enrolled in the Charter School and outreach event calendars and flyers to reflect the efforts the Charter School has made to achieve racial and ethnic balance. Currently, VCMS maintains the LAUSD Racial and Ethnic Balance goal of a 60:40 ratio.

Means of Recruiting A Diverse Student Body to VCMS – Outreach Plan

VCMS intends to expand upon the outreach model of building official partnerships and organizing informal events that has been implemented by VCMS leadership. The Principal, Outreach Committee, and the Executive Director lead the efforts of building official partnerships by following the steps outlined below. After partnerships are in place, families expand upon this plan by implementing informal events. The partnership building process includes:

- 1) Research, examine and list all community service organizations, schools, religious and ethnic organizations, libraries, parks, community gathering places (farmer’s markets, performance spaces, etc.) serving the people within the Van Nuys, North Hollywood, and North Hills geographical boundaries. In the interest of serving the greatest possible number of interested families, we will consider these boundaries to be Balboa Blvd to the West and Woodman Blvd to the East, Moorpark/Alameda Ave to the South and Devonshire St to the North.
- 2) Given the list to be created in Step (1), determine the language fluencies needed to best communicate in Spanish. If the Charter School leaders are not themselves proficient in the needed languages, a translator will be involved at every step of the communication process, and will translate all school materials as well.
- 3) Identify all local community service organizations, including YMCAs and community centers; meet with leadership of these organizations, schedule orientation meetings with families of school

- age children to be led by school leadership with the aid of trained registered parents; ensure an ongoing space in the building to leave Charter School brochures/information
- 4) Contact leadership of all local libraries, post offices, supermarkets, drugstores and other local businesses to establish a physical location in the building to leave notices/brochures/information about the Charter School for all local residents to access.
 - 5) Identify all local religious and ethnic-centered organizations; meet with the leadership of these programs and arrange informational meetings with the parents to educate families about the Charter School (led by Charter School leaders with the help of registered parents), ensure an ongoing space in the building to leave Charter School brochures/information.

The goals in meeting with these community leaders include:

- Informing leaders and their constituents/clients/acquaintances of the Charter School's mission, programs, services
- Hearing and addressing the needs, questions and concerns of all community members
- Fostering an ongoing mutually beneficial relationship with other organizations that are serving the community

In addition to utilizing the existing structures of organizations that serve the community, Charter School leadership will publicize the Charter School to potential parents using the following means:

- Internet: website, social media, message boards, and other virtual communities that could be contacted and/or created
- Community events/fairs/festivals: the Principal, in conjunction with parents will attend local events including fairs, festivals, farmers markets, and others in order to meet potential families.
- Local Park Information Sessions: To ensure that all potential families are included, every effort will be made to ensure that Charter School representatives are present that speak a variety of languages. In addition, prior to the lottery each spring, Charter School representatives will hold park events at local parks, near playgrounds. Outreach Committee parents will volunteer to set up tables with food, will decorate to draw attention, will advertise 3 weeks in advance through free venues, will organize and run activities for kids, will speak with potential parents about the Charter School, and will hand out school brochures/registration information.
- Prospective Parent Meetings: The Principal and Executive Director will lead prospective parent meetings for parents to learn more about the Charter School, and ask questions of our staff and Board members.

Charter School leadership will assess the experiences and the results in order to annually-update outreach strategies and adjust as necessary. The Principal, Outreach Committee, and Executive Director will continually monitor the greater Van Nuys area for new community organizations and businesses with which to form relationships. In addition, the Principal will work with the ED to involve local organizations and businesses in supporting the Charter School and its families.

Outreach Calendar (revised annually) - Outreach activities include but are not limited to:

September:

Revise collateral
Set up Northridge Mall dates
Schedule church visits

October:

Taste of Encino
Sherman Oaks Street Fair
Prospective Parents Meeting (Saturday at 10:00am)
Local Park Outreach

November:

School Tours (Every Tuesday from 8:45am/9:15am)

Local Park Outreach

Prospective Parents Meeting (Thursday at 6:30 pm - with Spanish translation)

December:

School Tours (Every Tuesday from 8:45am/9:15am)

Prospective Parents Meeting (Thursday at 6:30pm - with Spanish translation)

January:

School Tours (Every Tuesday from 8:45am/9:15am)

Local Park Outreach

Prospective Parents Meeting (Thursday at 6:30 pm - with Spanish translation)

Community Fair (Saturday from 2:00pm – 4:00pm)

The above-outlined outreach plan will achieve and maintain the 60:40 ratio by ensuring that a wide, diverse group of local students and their parents/guardians will be reached and informed about VCMS and its programs.

Element 8 - Admission Requirements

“Admission requirements, if applicable.” (Ed. Code § 47605(b)(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 is open to 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, 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.

Admission Requirements

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state, unless required by Education Code Section 51747.3. In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605(d)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter 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(d)(2)(B)(iii), including 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. Similarly, in accordance with Section 47605(d)(4)(C), the 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 the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii), as listed above. In accordance with AB 699, enacted on October 4, 2017, the school's non-discrimination provision shall prohibit the school from requiring a parent, legal guardian, or student to provide information regarding immigration status, for enrollment and admissions process.

Pursuant to Education Code Section 47605(d)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(d)(4), and make this notice available to parents.

The Charter School shall require students who wish to attend the Charter School to complete an Intent to Enroll form. After admission, students will be required to submit an enrollment packet, which shall include the following:

1. Student enrollment form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements
6. Release of records²

Student Recruitment

Means of Recruiting A Diverse Student Body to VCMS – Outreach Plan

VCMS intends to expand upon the outreach model of building official partnerships and organizing informal events that has been implemented by VCMS leadership. The Principal, Outreach Committee, and the Executive Director lead the efforts of building official partnerships by following the steps outlined below. After partnerships are in place, families expand upon this plan by implementing informal events. The partnership building process includes:

- 1) Research, examine and list all community service organizations, schools, religious and ethnic organizations, libraries, parks, community gathering places (farmer's markets, performance spaces, etc.) serving the people within the Van Nuys, North Hollywood, and North Hills geographical boundaries. In the interest of serving the greatest possible number of interested families, we will consider these boundaries to be Balboa Blvd to the West and Woodman Blvd to the East, Moorpark/Alameda Ave to the South and Devonshire St to the North.
- 2) Given the list to be created in Step (1), determine the language fluencies needed to best communicate in Spanish. If the Charter School leaders are not themselves proficient in the

needed languages, a translator will be involved at every step of the communication process, and will translate all school materials as well.

- 3) Identify all local community service organizations, including YMCAs and community centers; meet with leadership of these organizations, schedule orientation meetings with families of school age children to be led by school leadership with the aid of trained registered parents; ensure an ongoing space in the building to leave Charter School brochures/information
- 4) Contact leadership of all local libraries, post offices, supermarkets, drugstores and other local businesses to establish a physical location in the building to leave notices/brochures/information about the Charter School for all local residents to access.
- 5) Identify all local religious and ethnic-centered organizations; meet with the leadership of these programs and arrange informational meetings with the parents to educate families about the Charter School (led by Charter School leaders with the help of registered parents), ensure an ongoing space in the building to leave Charter School brochures/information.

The goals in meeting with these community leaders include:

- Informing leaders and their constituents/clients/acquaintances of the Charter School's mission, programs, services
- Hearing and addressing the needs, questions and concerns of all community members
- Fostering an ongoing mutually beneficial relationship with other organizations that are serving the community

In addition to utilizing the existing structures of organizations that serve the community, Charter School leadership will publicize the Charter School to potential parents using the following means:

- Internet: website, social media, message boards, and other virtual communities that could be contacted and/or created
- Community events/fairs/festivals: the Principal, in conjunction with parents will attend local events including fairs, festivals, farmers markets, and others in order to meet potential families.
- Local Park Information Sessions: To ensure that all potential families are included, every effort will be made to ensure that Charter School representatives are present that speak a variety of languages. In addition, prior to the lottery each spring, Charter School representatives will hold park events at local parks, near playgrounds. Outreach Committee parents will volunteer to set up tables with food, will decorate to draw attention, will advertise 3 weeks in advance through free venues, will organize and run activities for kids, will speak with potential parents about the Charter School, and will hand out school brochures/registration information.
- Prospective Parent Meetings: The Principal and Executive Director will lead prospective parent meetings for parents to learn more about the Charter School, and ask questions of our staff and Board members.

Charter School leadership will assess the experiences and the results in order to annually-update outreach strategies and adjust as necessary. The Principal, Outreach Committee, and Executive Director will continually monitor the greater Van Nuys area for new community organizations and businesses with which to form relationships. In addition, the Principal will work with the ED to involve local organizations and businesses in supporting the Charter School and its families.

Lottery Preferences and Procedures

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. In accordance with Education Code Section 47605(d)(2)(B), admission preferences in the case of a lottery shall be given to the following students in the following order:

Preferences

1. Residents of the District
2. Children of faculty (not to constitute more than 10% of school's enrollment)
3. Students who qualify for federal school assistance programs under Title I (preference), not to exceed 25% of total enrollment*
4. Students who attend Andres and Maria Cardenas Elementary School, or who live in the Andres and Maria Cardenas Elementary School attendance area per SB 740 requirements
5. All other students

Exemptions

1. Siblings of students admitted to or attending the Charter School

The preference for siblings and children is included to keep families together, to the extent possible.

The Charter School and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(d)(2)(B)(i)-(iv).

The Charter School will designate an enrollment deadline (approximately February) and only applications received prior to the deadline will be included in the public random drawing. An explanation of the enrollment process will be available on our web site and in the Charter School office. Public notice will be posted at the Charter School site and on the VCMS web site regarding the date, time and location of the public drawing once the deadline date has passed, encouraging people to attend (time will be weekday evening to maximize attendance; the location will be at the Charter School site, with the exact location to be determined). Applicants will be drawn publicly at random. During the same public random drawing, once enrollment is reached, the remaining names will continue to be drawn and will be placed on a waiting list in the order drawn. If vacancies occur during the school year, the vacancies will be filled according to the waiting list. The intent to enroll forms, original "pull number" cards and list of names will be kept on file at the Charter School in the event of the need for an audit.

VCMS' application form will be accessible through VCMS' website. If a family does not have access to Internet, the VCMS office manager and/or clerk will provide the family with a hard copy of the form and/or allow individual families to use the Charter School's Internet. The lottery process will be explained in detail on the same webpage as the lottery application, and the

process will also be verbally explained to any families who hand in their paper application in-person. Lottery procedures include the following:

- 1) Applications for admission to VCMS will be available online or at the Valley Charter Middle School site by the first of October each year. The lottery application will remain available until the end of the first week of February (tentative).
- 2) If there are more applications than spaces available, during the second week of February (tentative), VCMS administrators will prepare the lottery cards which will be drawn on the second Friday of February (tentative) each year. The lottery will take place at the Valley Charter Middle School site, and the exact location will be determined and announced prior to the lottery date.
- 3) VCMS public lottery will be conducted for all grades which have more applicants than enrollment seats available for the next school year. Should the amount of students who seek enrollment exceed the number of spaces, a random lottery will be held. Lottery spaces will be pulled in order of grade level by the Principal. Separate drawings shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All drawings shall take place on the same day in a single location. The lottery procedure will be monitored by the Executive Director to ensure fair and accurate implementation. As names are pulled, students will be assigned a number corresponding to the number of enrollment slots. Once all enrollment slots have been filled, remaining students will be added to the waitlist in the order in which they were randomly drawn.
- 4) Acceptance letters will be mailed out to families by mid-March. Families will be given three (3) business days after the receipt of the acceptance letters to respond in writing or via phone in order to secure admission.
- 5) Because of the number of entries for the lottery, rejection letters will not be mailed out. It will be communicated to the families that students who were not granted enrollment for the next school year will remain on the waiting list unless otherwise requested by the parent to be taken off. The wait list is cleared at the end of the academic year for which the lottery was drawn. Therefore, the wait list does not carry from one year to the next.
- 6) Lottery cards (with original “pull numbers”) are kept for the duration of the school year. These are kept as a back-up to the electronic waiting list. The electronic waiting list is kept and managed by the office manager for the duration of the school year.
- 7) After the completion of the lottery, accepted families are provided with an enrollment application. Parents will be given 4 weeks from the time they accepted the spot to submit the enrollment application.

Element 9 - Annual Audit

“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(b)(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)(5)(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 Independent Audit

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller’s K-12 Audit Guide.

The Executive Director of the Charter School will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider. 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. The Executive Director is responsible for working with the auditor to complete the audit.

The Executive Director is responsible for ensuring that the annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will

submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

The independent financial audit of the Charter School is a public record to be provided to the public upon request.

Element 10 - Pupil Suspension and Expulsion

“The procedures by which pupils can be suspended or expelled.” (Ed. Code § 47605(b)(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, as required by the Modified Consent Decree. 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.

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 and the MCD, 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, 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.

The Pupil Suspension and Expulsion Policy, included here in full has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.*, which describes the noncharter schools’ list of offenses and procedures, to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook on an annual basis or upon enrollment and will clearly describe discipline expectations. 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.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

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 the student, the student's parent or guardian, or the student's educational rights holder 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 below.

School Climate and Student Discipline System

Respect for others and/or self is key at VCMS. To support these goals, teachers will stress positive reinforcement for appropriate behavior and peer mediation as important parts of the classroom context. Students and teachers commit to making VCMS a place where learning is a priority. To this end, the school must be safe at all times. Student actions or intentions that could violate the safety to self or others will result in immediate responses from adults or teachers present as well as notification of parents.

Examples of safety violations include:

- Verbal abuse of others (using profanity, insults, etc.)
- Intentionally hurting another person
- Threatening the physical or emotional safety of others

Respecting Property Building upon the need to have a safe and nurturing school, students must respect the property of the school and others at all times. Any student action or intention that can be deemed as damaging the property of the school or others can result in serious consequences. In addition to the violations described above, examples of property violations include:

- Stealing
- Defacing school property or the property of others
- Unauthorized use of equipment
- Inappropriate use of the Internet

Progressive Discipline Policy

VCMS uses a progressive discipline policy, in our attempt to resolve issues quickly, and in the most effective way possible. The goals of these policies are:

- To ensure that all students can learn in a safe, supportive environment
- To ensure that students understand why certain behaviors are unacceptable at school
- To help students understand that there are consequences for our actions
- To keep parents/ guardians informed of the behavior of their children, and allow parents/ guardians, students, and the school to work as partners

The description below represents the typical way a violation of school expectations would be handled

Level 1: If a student violates a school expectation, staff will issue student a verbal warning, explaining what behavior needs to stop. If the student ceases the behavior, no further action is taken. If the student continues to violate the expectation, he/ she progresses to level 2

Level 2: Staff re-directs the student, possibly by changing their seat location, instructing them to move to a different location on the yard, or having them step outside for a moment to collect themselves. If the student ceases the behavior, no further action is taken. If the student continues to violate the expectation, he/ she progresses to level 3

Level 3: Staff issues the student an infraction. An infraction is a documented instance of school policy violations. Students earning three infractions in a single grading period will be required to serve as 60 minute after school detention. Parents/ guardians are notified within 24 hours via phone or email when their child receives an infraction. If the student ceases the behavior, no further action is taken. If the student continues to violate the expectation, he/ she progresses to level 4

Level 4: Student is sent out of the classroom to the office. There, student will have a conference with the principal or assistant principal and discuss the behavior, why it is creating a problem, and what the consequence for their behavior will be. The administrator will determine if the student can return to his/ her class for the remainder of the period. Parents/ guardians will be notified within 24 hours of the student's behavior and consequence. If a student is receiving repeated infractions or is repeatedly sent to the office, the principal or assistant principal will

request a conference with the parent/ guardian to discuss ways to resolve the problematic behavior.

Although the procedure outlined above is generally the manner in which discipline will be handled, the staff reserves the right to send student to the office immediately for violations of expectations that make it impossible for the student or other students in the class to learn.

In-School Suspension

In the event that a student commits an offense for which suspension is permissible, VCMS administrators reserve the right to issue an in school suspension (ISS) in lieu of an out of school suspension, unless such a suspension is prohibited by education code. In the event of ISS, the following will apply:

- ISS will be served in the main office
- The student will be supervised by the principal, assistant principal, or by a teacher not currently teaching a class
- The student's teachers will send work to the office for the student to complete. While the work will necessarily be different than the work done in class, it will address the same content standards
- If the student has an IEP, and the student is on ISS during a time when he or she would normally be receiving RSP services, such services will be provided. If the student has one on one services (such as speech, counseling, occupational therapy) etc., such services will be provided as normal during ISS
- The school will notify the student's parent/ guardian of the ISS within 24 hours via phone or email.
- A student shall not serve more than two (2) days of ISS for a single offense, nor will a student serve more than four (4) days of ISS during a single academic year.
- In the event that the student engages in actions which are precluded from ISS in the education code, The Charter School shall not offer ISS if the health and safety of Charter School students and/or staff are in question, including if and when a student has committed one of the following enumerated offenses:
 - Caused, attempted to cause, threatened to cause, or participated in an act of hate violence;
 - Engaged in harassment, threats, or intimidation against a pupil or group of pupils or school district personnel;
 - Made terrorist threats against school officials or school property, or both.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.

- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as 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, which includes, but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: 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.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold prescription drugs, including Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes, but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of

purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes, but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 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 student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, 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 exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site, 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, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “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.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “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.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, 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.
- u) 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, 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 (1)(a)-(b).
 - v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director, Principal or designee’s concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director, Principal or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as 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, which includes, but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: 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.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that

student from being a witness and/or retaliating against that student for being a witness.

- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes, but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes, but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 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 student or group of students which would be deemed hate violence or harassment, threats, or intimidation,

which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "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, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "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.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "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.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- iv. Notwithstanding subparagraphs (1) and (2) above, 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.
- u) 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, 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 (3)(a)-(b).
- v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director, Principal or designee’s concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director, Principal or designee’s concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

If it is determined by the Administrative Panel during an expulsion hearing that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term “destructive device” means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Out of School Suspension Procedures

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director, Principal or designee with the student and his or her parent and, whenever practical, the teacher or other Charter School employee who referred the student to the Executive Director, Principal or designee.

The conference may be omitted if the Executive Director, Principal or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days of when the student was suspended, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

The Charter School assures that the process for investigating incidents and collecting evidence will be fair and thorough.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense(s) committed by the student. In addition, the notice may also state the date and time when the student may return to school and information regarding rights to appeal suspension and the process. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension with a total of twenty (20) days of suspension in a school year for general education students and ten (10) days of suspension for special

education students. Upon a recommendation of expulsion by the Executive Director, Principal or designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, up to a total of thirty (30) school days, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Executive Director, Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

The student will have the opportunity to complete instructional activities missed due to his or her suspension and will be able to communicate with designated Charter School staff for any questions and for evaluation of work. Any instructional materials or assignments shall be provided to students by the classroom teacher(s) through the Executive Director, Principal or designee. Students will be provided clear instructions and deadlines for all assignments. Students may be given the opportunity to take a make up test following their return for any missed tests, or otherwise provided an alternate means to complete the test during the duration of their suspension.

A student and his or her parents/guardians may appeal a suspension decision by the Administrative Panel to the Charter School's Board, which will make the final determination.

D. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled by the neutral and impartial Administrative Panel following a hearing before it, and preceded by recommendation from the Executive Director, Principal, or designee. The Administrative Panel shall consist of at least three members who are certificated employees and neither a teacher of the pupil nor a Board member of the Charter School's governing board. The Administrative Panel shall be presided over by a designated neutral hearing chairperson. The Charter School's Board will appoint an Administrative Panel. The Administrative Panel may expel any student found to have committed an expellable offense. This decision to expel shall be based upon either of the following: 1) other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or 2) due to the nature of the offense, the presence of the pupil poses a continuing threat or danger to the physical safety of the pupil or others.

A student and his or her parents/guardians may appeal an expulsion decision by the Administrative Panel to the Charter School's Board, which will make the final determination.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director, Principal, or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

The Administrative Panel will hold a hearing on the case, and will make a determination whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing;
2. Information about obtaining reasonable accommodations and/or language support;
3. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
4. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
5. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
6. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
7. The right to inspect and obtain copies of all documents to be used at the hearing;
8. The opportunity to confront and question all witnesses who testify at the hearing;
9. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the Executive Director, Principal, or the Administrative Panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the Administrative Panel, the complaining witness shall be allowed

periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The Administrative Panel may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Administrative Panel may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The Administrative Panel may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The administrative panel shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the hearing chairperson of the administrative panel shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the administrative panel from exercising its discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the hearing room during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A determination by the Administrative Panel to expel must be supported by substantial evidence at the hearing that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled 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. The decision of the Administrative Panel shall be in the form of written findings of fact and sent within 5 days.

If the Charter School's Board decides not to expel the student, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Executive Director, Principal or designee, following a recommendation of the Administrative Panel to expel, shall send written notice of the decision to expel, including the Administrative Panel's adopted findings of fact, to the student or parent/guardian within five (5) school days of the decision. The notice shall also include the following: (a) Notice of the specific offense(s) committed by the student; (b) the term of the expulsion, including the possible readmission date; (c) rehabilitation plan; (d) explanation that Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion; (e) 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 the Charter School; and (f) notice of appeal rights and procedures, including information about reasonable accommodations and language support.

The Executive Director, Principal or designee shall send a copy of the written notice of the decision to expel to the District. This written notice shall include the following: (a) the student's name, and (b) the specific expellable offense committed by the student.

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. Right to Appeal

The pupil shall have the right to appeal an expulsion decision from the Administrative Panel to the Charter School Board. The appeal must be submitted in writing within five (5) school days of the date of the written decision to expel. The Charter School Board will consider the appeal within ten (10) school days of receipt of the written appeal, and may uphold or overturn the Administrative Panel's decision to expel. The Charter School Board's decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Administrative Panel at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. Readmission/Reinstatement

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Executive Director, Principal, or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director, Principal, or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

O. 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(b)(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.

Retirement System

Staff at VCMS will participate in the federal social security system and have access to other school-sponsored retirement plans according to policies adopted by the Board of Directors for the Charter School’s employees.

VCMS certificated employees will participate in the State Teachers’ Retirement System (“STRS”) and Valley Charter School will coordinate such participation. VCMS, as a participant in STRS, will work directly with the Los Angeles County Office of Education to forward in a timely fashion any required payroll deductions and related data. The Charter School acknowledges that it must continue such participate in STRS for the duration of the Charter School’s existence under the same CDS code.

Non-certificated employees will participate in the Social Security system. A 403(b) retirement program will be offered to employees who cannot participate in STRS, with VCMS contributing 3% of salary.

The Executive Director, in coordination with the Charter School’s back office provider ExEd, will ensure that appropriate arrangements for STRS, 403(b), and Social Security coverage are made.

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(b)(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.

No student may be required to attend the Charter School. Parents and guardians of each student enrolled in the Charter School will be informed that students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.

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(b)(5)(M).)

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

Element 14 - Mandatory Dispute Resolution

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” (Ed. Code § 47605(b)(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 §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
Valley Charter Middle School
6952 Van Nuys Blvd.
Van Nuys, CA 91405

- 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

Principal
Valley Charter Middle School
6952 Van Nuys Blvd.
Van Nuys, CA 91405

- 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(b)(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(d) 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 AB 97, charter schools may be identified for assistance based on state evaluation rubrics and be subject to revocation pursuant to Education Code section 47607.3.

CLOSURE ACTION

The decision to close 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(i)) 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(j)(1) and 47607(f), 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 School Closure Requirements and Recommendations (Revised 08/2009)” 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.

The Executive Director will serve as the Charter School's closure agent in the event that the Charter School closes.

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 the Board of Education of the City of Los Angeles as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and 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.
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. *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.*

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 within 30 calendar days of all new policies, inceptions, renewals or changes, certificates, or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

"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."

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). These expenditures shall be "classified using the California School Accounting Manual pursuant to Section 41010." (Ed. Code § 47606.5(b).)

ADDENDUM

Assurances, Affirmations, and Declarations

Valley Charter Middle School (also referred to herein as “VCMS” and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(d)(1).)
- Not charge tuition. (Ed. Code § 47605(d)(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. (Ed. Code § 47605(d)(1); Ed. Code § 220.)
- Except as provided in Education Code section 47605(d)(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(d)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(d)(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”). (Ed. Code § 47605(d)(2)(B).)
- 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(d)(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(c)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(c)(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 “District Required Language” (DRL), including the *Assurances, Affirmations, and Declarations* section above. The DRL should be highlighted in gray within each Charter element or section. The final section of the Charter provides a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the Charter. To the extent that any inconsistency may exist between any provision contained within the body of the Charter and the DRL contained in the addendum, the provisions of the DRL 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(b)(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, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” (Ed. Code § 47605(b)(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(b)(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(b)(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(e).)

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.

HIGH SCHOOL EXIT EXAMINATION

Charter School shall comply with all applicable requirements of Education Code sections 60850 – 60859, including but not limited to the requirements of sections 60851.6 and 60852.3.

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 English Learner Master Plan *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).

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.

Modified Consent Decree Requirements

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of the *Chanda Smith* Modified Consent Decree (“MCD”) and other court orders imposed upon the District pertaining to special education. The MCD is a consent decree entered in a federal court class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court-appointed independent monitor. The MCD includes nineteen statistically measureable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All charter schools are required to use the District’s Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online Individualized Education Programs (“IEPs”) and tracking of related services provided to students during the course of their education.

As part of fulfilling the District’s obligations under the MCD, student level data requests from District-operated and Charter-operated charter schools are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor’s (“OIM”) required format in accordance with the OIM’s required timelines and as follows:

- End of Year Suspension

District ID, SSIS ID, last name, first name, date of birth, gender, grade, date of suspension, number of days suspended, and reason for suspension.

- Statewide Assessment Data

The standard file including District ID.

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

- CBEDS

- All Students enrolled as of December 1 of each school year

District ID, SSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

- Dropout
District ID, SSIS ID, last name, first name, middle name, date of birth, grade, last location, school name and local district

- Monthly SESAC and Suspension data

- Graduation roster from all charter schools with 12th grade students with disabilities

The MCD requires charter schools to implement the District’s integrated student information system, which is currently referred to as My Integrated Student Information System (MiSiS). MiSiS is a suite of applications which is designed to capture all District student data. All charter schools are required to utilize MiSiS directly or interface with MiSiS via a web based Application Programming Interface (API) in compliance with the requirements of the MCD and applicable timelines. Upon charter school full utilization of MiSiS either directly or via a web based API, the list of required data above will automatically be captured within MiSiS.

Element 2 – Measurable Pupil Outcomes and by which Pupil Progress Toward Outcomes will be Measured	Element 3 – Method
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“The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.” (Ed. Code § 47605(b)(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(b)(5)(C).)

MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM

Charter School shall meet all statewide content and performance standards and targets. (Ed. Code §§ 47605(c)(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(b)(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 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 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(b).

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.³

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 Public Records Act.

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.

³The District is in the process of compiling a list of LAUSD policies that apply to its authorized charter schools. The list will be finalized by April 1, 2018. Charter Schools Division staff will annually review District policies and make recommendations to the LAUSD Board of Education on continued application to charter schools.

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. 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.

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(b)(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(1). 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 include the requirement that each employee of the charter school furnish it with a criminal record summary as described in Section 44237.” (Ed. Code § 47605(b)(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 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 AB 1432 (2014).

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.

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

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.

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.

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, including but not limited to the requirements of SB 277 (2015), related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school.

Charter School shall maintain 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 grades 7-12, Charter School shall comply with the requirements of AB 2246 (2016), 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. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

Element 7 – Means to Achieve Racial and Ethnic Balance

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(b)(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 Requirements

“Admission requirements, if applicable.” (Ed. Code § 47605(b)(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 is open to 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, 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.

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(b)(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)(5)(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.” (Ed. Code § 47605(b)(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, as required by the Modified Consent Decree. 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.

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 and the MCD, 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, 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(b)(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(b)(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(b)(5)(M).)

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

Element 14 – Mandatory Dispute Resolution

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” (Ed. Code § 47605(b)(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 §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
Valley Charter Middle School
6952 Van Nuys Blvd.
Van Nuys, CA 91405

- 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

Principal
Valley Charter Middle School
6952 Van Nuys Blvd.
Van Nuys, CA 91405

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.

- 2) 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.

- 3) 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.
- 4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California.

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(b)(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(d) 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 AB 97, charter schools may be identified for assistance based on state evaluation rubrics and be subject to revocation pursuant to Education Code section 47607.3.

CLOSURE ACTION

The decision to close 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(i)) 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(j)(1) and 47607(f), 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 School Closure Requirements and Recommendations (Revised 08/2009)” 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 the Board of Education of the City of Los Angeles as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and 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.
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. *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.*

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 within 30 calendar days of all new policies, inception, renewals or changes, certificates, or such insurance 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.”

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). These expenditures shall be “classified using the California School Accounting Manual pursuant to Section 41010.” (Ed. Code § 47606.5(b).)