



NEW HEIGHTS CHARTER SCHOOL

**Charter Renewal Petition
For a Five Year Term
(July 1, 2016 to June 30, 2021)**

Submitted October 13, 2015 to:

**Los Angeles Unified School District
Board of Education**

AFFIRMATIONS AND ASSURANCES	v
ELEMENT 1 – THE EDUCATIONAL PROGRAM	7
A. GENERAL INFORMATION	7
1. GENERAL INFORMATION TABLE	7
B. COMMUNITY NEED FOR CHARTER SCHOOL	8
1. SCHOOL PERFORMANCE OVER THE LAST FOUR YEARS	9
2. SURROUNDING SCHOOLS	22
C. STUDENT POPULATION TO BE SERVED	23
1. TARGET POPULATION	23
2. ENROLLMENT PLAN	23
D. GOALS AND PHILOSOPHY	24
1. MISSION AND VISION	24
2. AN “EDUCATED PERSON” IN THE 21ST CENTURY	24
3. HOW LEARNING BEST OCCURS	25
4. GOALS FOR ENABLING PUPILS TO BECOME AND REMAIN SELF-MOTIVATED, COMPETENT, AND LIFELONG LEARNERS	26
5. THE REQUIREMENTS OF CALIFORNIA EDUCATION CODE § 47605(B)(5)(A)(ii)	27
E. INSTRUCTIONAL DESIGN.....	35
1. CURRICULAR AND INSTRUCTIONAL DESIGN OF THE EDUCATIONAL PROGRAM: KEY EDUCATIONAL THEORIES AND RESEARCH	35
2. CURRICULUM	39
3. INNOVATIVE CURRICULAR COMPONENTS	50
4. INTERVENTION AND ENRICHMENT PROGRAMS	51
5. CURRICULAR AND INSTRUCTIONAL MATERIALS	51
6. COMPREHENSIVE COURSE LIST	51
7. INSTRUCTIONAL METHODS AND STRATEGIES	52
8. HOW THE SCHOOL’S INSTRUCTIONAL METHODOLOGIES AND CURRICULUM WILL ENSURE STUDENT MASTERY OF THE CALIFORNIA CCSS AND OTHER STATE CONTENT STANDARDS	54
9. HOW THE INSTRUCTIONAL PROGRAM WILL SUPPORT STUDENT DEVELOPMENT OF TECHNOLOGY- RELATED SKILLS AND STUDENT USE OF TECHNOLOGY	54
10. GRADUATION REQUIREMENTS (INCLUDING THE NUMBER/TYPE OF UNITS REQUIRED.) AND A-G REQUIREMENTS	55
11. WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES (WASC) ACCREDITATION	55

12.	HOW CHARTER SCHOOL WILL INFORM PARENTS, INCLUDING PARENTS WITH LIMITED ENGLISH, ABOUT COURSE TRANSFERABILITY AND COLLEGE ENTRANCE REQUIREMENTS	55
13.	TRANSITIONAL KINDERGARTEN	55
F.	ACADEMIC CALENDAR AND SCHEDULES	56
1.	ACADEMIC CALENDAR	56
2.	SAMPLE DAILY SCHEDULES	57
3.	INSTRUCTIONAL DAYS AND MINUTES	58
4.	EARLY COLLEGE AND MIDDLE COLLEGE HIGH SCHOOLS ATTENDANCE REQUIREMENTS OF ED. CODE SECTION 46146.5, AS AMENDED BY SB 379.....	58
G.	TEACHER RECRUITMENT AND PROFESSIONAL DEVELOPMENT	58
1.	TEACHER RECRUITMENT	59
2.	PROFESSIONAL DEVELOPMENT	59
H.	MEETING THE NEEDS OF ALL STUDENTS	61
1.	STUDENT SUCCESS TEAM	61
2.	ENGLISH LEARNERS.....	61
3.	GIFTED AND TALENTED STUDENTS AND STUDENTS ACHIEVING ABOVE GRADE LEVEL	67
4.	STUDENTS ACHIEVING BELOW GRADE LEVEL.....	68
5.	SOCIO-ECONOMICALLY DISADVANTAGED/LOW-INCOME STUDENTS	70
6.	STUDENTS WITH DISABILITIES	71
7.	STUDENTS IN OTHER SUBGROUPS	73
I.	A TYPICAL DAY.....	73
ELEMENT 2 – MEASURABLE PUPIL OUTCOMES AND		75
ELEMENT 3 – METHOD BY WHICH PUPIL PROGRESS TOWARD OUTCOMES WILL BE MEASURED		75
A.	MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM.....	75
B.	MEASURABLE PUPIL OUTCOMES: SUMMATIVE ASSESSMENT PERFORMANCE TARGETS.....	75
C.	METHOD FOR MEASURING PUPIL PROGRESS TOWARD OUTCOMES: FORMATIVE ASSESSMENT.....	76
D.	DATA ANALYSIS AND REPORTING	78
E.	GRADING, PROGRESS REPORTING AND PROMOTION/RETENTION	79
ELEMENT 4 – GOVERNANCE		81
A.	GOVERNANCE STRUCTURE.....	83
1.	ORGANIZATIONAL CHART.....	84

2.	MAJOR ROLES AND RESPONSIBILITIES	84
B.	GOVERNING BOARD COMPOSITION AND MEMBER SELECTION	85
C.	GOVERNANCE PROCEDURES AND OPERATIONS	86
D.	STAKEHOLDER INVOLVEMENT	88
	ELEMENT 5 – EMPLOYEE QUALIFICATIONS	91
A.	EMPLOYEE POSITIONS AND QUALIFICATIONS.....	91
	ELEMENT 6 – HEALTH AND SAFETY PROCEDURES	102
A.	CUSTODIAN OF RECORDS	103
B.	STUDENT HEALTH AND WELLNESS.....	103
	ELEMENT 7 – MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE	105
	ELEMENT 8 – ADMISSION REQUIREMENTS	107
A.	ADMISSION REQUIREMENTS	107
B.	LOTTERY PREFERENCES AND PROCEDURES	107
	ELEMENT 9 – ANNUAL FINANCIAL AUDITS	110
A.	ANNUAL AUDIT PROCEDURES.....	110
	ELEMENT 10 – SUSPENSION AND EXPULSION PROCEDURES	112
A.	DISCIPLINE FOUNDATION POLICY	114
B.	CAUSE FOR SUSPENSION AND EXPULSION	116
C.	PROCESS FOR SUSPENSION AND/OR EXPULSION.....	118
D.	APPEAL OF SUSPENSION OR EXPULSION	121
E.	POLICIES AND PROCEDURES REGARDING REHABILITATION, REINSTATEMENT, AND READMISSION.	122
	ELEMENT 11 – EMPLOYEE RETIREMENT SYSTEMS	123
A.	CERTIFICATED EMPLOYEES	123
B.	CLASSIFIED EMPLOYEES.....	123
C.	OTHER EMPLOYEES	123
	ELEMENT 12 – PUBLIC SCHOOL ATTENDANCE ALTERNATIVES.....	124
	ELEMENT 13 – RIGHTS OF DISTRICT EMPLOYEES	125
	ELEMENT 14 – MANDATORY DISPUTE RESOLUTION	126
	ELEMENT 15 – EXCLUSIVE PUBLIC SCHOOL EMPLOYER	128

ELEMENT 16 – CHARTER SCHOOL CLOSURE PROCEDURES	129
ADDITIONAL PROVISIONS.....	136
ADDENDUM.....	143

AFFIRMATIONS AND ASSURANCES

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

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(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).)
- 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 students 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).)

NOTE: This Charter contains specific “District Required Language” (DRL), including the Assurances and Affirmations 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

“A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.” (Ed. Code § 47605(b)(5)(A)(i).)

“A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” (Ed. Code § 47605(b)(5)(A)(ii).)

“If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements.” (Ed. Code § 47605(b)(5)(A)(iii).)

A. GENERAL INFORMATION

1. GENERAL INFORMATION TABLE

GENERAL INFORMATION	
The contact person for Charter School is:	Amy Berfield
The contact address for Charter School is:	2202 Martin Luther King Jr. Blvd, LA, CA 90008
The contact phone number for Charter School is:	323-508-0155
The proposed address or target community of Charter School is:	2202 Martin Luther King Jr. Blvd. LA, CA 90008 and 3989 Hobart Blvd. LA, CA 90062
This location is in LAUSD Board District:	District 1
This location is in LAUSD Local District:	Upper Campus: Central Lower Campus: West
The grade configuration of Charter School is:	TK-8
The number of students in the first year will be:	465
The grade level(s) of the students in the first year will be:	TK-8
Charter School’s scheduled first day of instruction in 2016-17 is:	August 17, 2016
The enrollment capacity is: (Enrollment capacity is defined as the total number of students who may be enrolled in Charter School regardless	475

of student residency.)	
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:	8:15-3:15 Lower Campus 8:25-3:25 Upper Campus
The term of this charter shall be from:	July 1, 2016 to June 30, 2021

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 (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 annual update.” (Ed. Code § 47606.5(e).)

B. COMMUNITY NEED FOR CHARTER SCHOOL

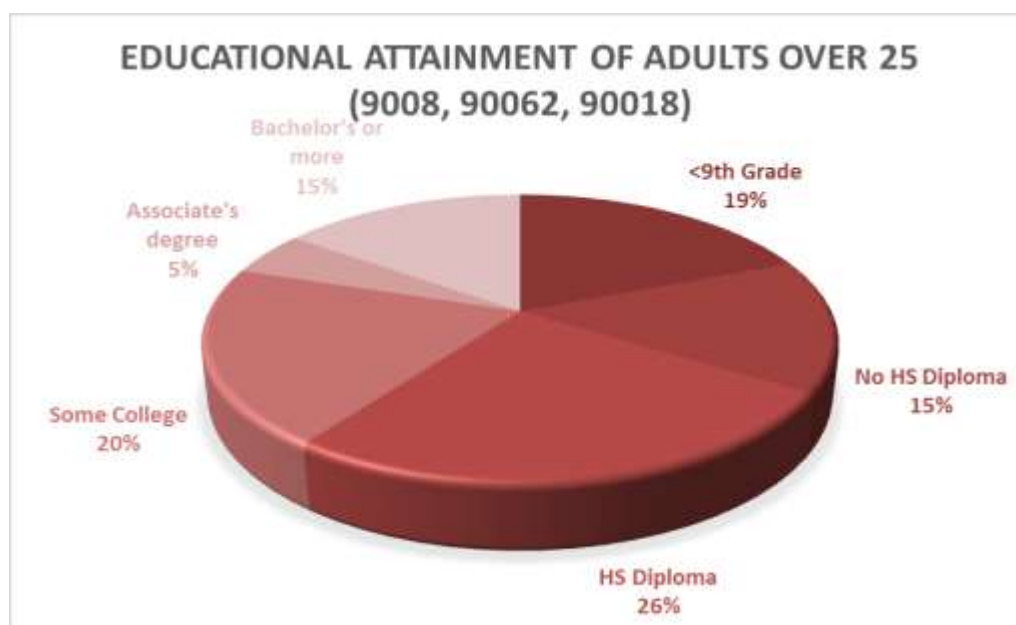
New Heights Charter School, a TK-8 school located in South Los Angeles, originally was authorized by the Los Angeles Unified School District (LAUSD or District) in 2006 and renewed for a second five-year term in 2010. New Heights Charter School (New Heights or NHCS) was founded based on the idea that rigorous learning requires a caring learning community and that students’ academic, social, emotional, and physical development are interrelated. Essential to this vision is our set of beliefs about the importance of school culture and its role in supporting continuous improvement in teaching and learning. New Heights is organized around a cohesive set of shared ideas and practices about teaching and learning; our faculty work together to provide a coordinated experience for students as they progress through the school. Students are given opportunities to participate in a learning garden, arts activities, sports, yoga/mindfulness, social skills groups, and field trips to museums, theaters and team-building programs.

Now in our tenth year of operations, New Heights currently serves 437 students on two campuses located half a mile apart. Almost all of our students (98%) are eligible for free or reduced-price lunch (FRPL), 25% are African American, 75% Hispanic, 29% English Learners (EL) and 13% are students who qualify for special education (SpEd). NHCS has earned a full six-year WASC accreditation.

The community we serve is among the most “high-need” areas of Los Angeles. New Heights is located on the borders of Leimart Park and Vermont Square neighborhoods. The residents of this densely populated community (>115,000 residents), are 48% Hispanic/Latino, 43% African American; over half of the population (51%) speaks a language other than English at home. (www.factfinder2.census.gov)

(2010 Census General Population Characteristics.) Over a third of families with children under the age of 18 (34%) lived below the poverty line in the 12 months preceding the 2013 American Community Survey provided by the Census. This is based on the national poverty rate -- at the time, approximately \$24,000 – which is clearly less than required to support a family of four in urban Los Angeles. (www.factfinder2.census.gov (2013 American Community Survey, Select Economic Characteristics.)

Significantly, 19% of the adult population in this community has less than a 9th grade education and 34% in total have not earned a high school diploma (or equivalency):



Source: www.factfinder2.census.gov (2010 Census Educational Attainment).

New Heights' campuses sit within a community that has been plagued with violence and trauma. Crime rates in the community are very high: out of 209 neighborhoods in Los Angeles for which the *Los Angeles Times* tabulates crime data, Leimert Park is currently ranked as the 4th highest for violent crimes and 2nd highest for property crimes. In the most recent six month period, there were 135 violent crimes and 481 property crimes within the 1.19 square miles neighborhood of Leimert Park, a rate of 500.4 crimes per 10,000 people. (<http://maps.latimes.com/neighborhoods/neighborhood/leimert-park/crime/>.) Adjacent Vermont Square, which is 2.5 square miles and very densely populated, ranks 16th out of the 209 neighborhoods for violent crimes and 34th for property crimes. Vermont Square had 353 violent crimes and 713 property crimes over the same six month period. Notably, Leimert Park's per capita crime rate is 500.4 per 10,000 people while Vermont Square is less than half that at 224.2 crimes per 10,000 people.

1. SCHOOL PERFORMANCE OVER THE LAST FOUR YEARS

As detailed in this Section, NHCS has excelled across a variety of metrics over the past four years, particularly when compared to the "home"/resident schools our students otherwise would have attended.

a. Academic Performance Data and Other Absolute and Comparative Performance Indicators

According to California law, a charter school “shall” meet at least one of five minimum criteria set forth in Education Code section 47607(b) prior to receiving a charter renewal: **New Heights meets the criteria for renewal** under the California Education Code¹:

- 1. New Heights ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.**

New Heights achieved a Statewide decile rank of “5” in 2012 and “4” in 2011.

- 2. New Heights ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.**

New Heights achieved a 2013 similar schools rank of “5” in 2013 and “9” in the previous two years.

AND

- 3. New Heights’s academic performance is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.**

As noted in the Ed Code, “The determination made pursuant to this paragraph shall be based upon all of the following: (i) Documented and clear and convincing data; (ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 for demographically similar pupil populations in the comparison schools; (iii) Information submitted by the charter school.” (Cal. Ed. Code § 47607(b)(4)(B).)

Across multiple measures, New Heights has exceeded the performance of the schools our students would otherwise attend. For purposes of comparison, the following are the primary home/resident schools of our students enrolled in 2014-15²:

42nd Street Elementary
Hillcrest Elementary
Foshay Learning Center (K-12)
Martin Luther King, Jr. Elementary
Audubon Middle
Barack Obama Global Prep Academy

¹ The fifth criterion only applies to alternative model (ASAM) schools.

² We note that a list of Resident Schools recently provided by LAUSD omits several of these nearby schools yet includes some significantly outside the community (e.g., Broadway Elementary, located in Venice). Thus in order to provide a more accurate comparison we have chosen to highlight our students’ top resident schools among those in close proximity to our campus.

New Heights' 2013 API score of 745 was higher than all six of these primary "resident" schools, by as much as 120 points. In comparison to these schools (highlighted in pale orange in the chart below), and the other schools in a two mile radius surrounding NHCS, New Height's 2013 API was higher than:

- nine of the 13 traditional elementary schools
- all of the traditional middle schools and the one K-12 span school, and
- two of the five nearby charter schools that were in operation in 2013. (Five additional charter schools have opened since the 2013 APIs and do not have available data.)

Similarly, NHCS's 3-year Weighted API Average of 776 was higher than:

- all six of the primary "resident" schools, by as much as 171 points
- 12 of 13 traditional elementary schools
- all middle schools and the sole K-12 span school, and
- one of the three nearby charter schools that was issued a 3-year API Average score.

While NHCS's state rank in 2013 of "2" was disappointing (compared to prior year's state rank of "5" and "4"), we note that this rank is the same or better than 12 of the comparison schools; the similar schools rank of "5" is the same or better than 13 of these schools.

SURROUNDING SCHOOLS DEMOGRAPHIC AND PERFORMANCE DATA														
Address: 2202 W Martin Luther King Jr. Blvd Los Angeles, CA 90008														
Elementary Schools	# of Students 2014-15	% Students Eligible for Free/Reduced Lunch	% Special Ed. Students	% English Learners	% African American	% Hispanic/Latino	% White	2013 Growth API	Met School-wide Growth Target?	Met Sub-group Growth Targets?	2011-2013 API 3 Year Average (Weighted)	2013 API State-wide Rank	2013 API Similar Schools Rank	2013-2014 School Performance Framework Classification (SPF)
42 nd Street (K-5)	251	87	12	7	69	28	2	640	Yes	No	644	1	1	Watch
59 th Street (K-5)	375	100	12	24	45	54	0	709	Yes	No	720	1	5	Watch
Angeles Mesa (K-5)	400	100	18	18	48	51	0	706	Yes	Yes	700	1	5	Watch
Birdielee Bright (K-5)	711	100	8	27	21	79	0	778	No	No	800	4	5	Watch
Hillcrest Drive (K-5)	717	100	11	33	46	53	0	707	Yes	No	675	1	5	Watch
Lenicia B. Weemes (K-5)	705	78	11	24	28	70	0	751	Yes	Yes	753	3	5	Watch
Martin Luther King (K-5)	481	99	8	25	30	67	0	716	No	No	726	1	2	Focus
Coliseum Steet (K-5)	262	89.5	22.9	30.5	45	52	0	654	No	No	672	1	1	Watch
Menlo Avenue (K-5)	593	85	17	41	19	80	0	753	No	No	767	3	8	Serv. & Sup
Normandie Ave (K-5)	903	100	13	35	21	78	0	740	Yes	No	738	2	5	Serv & Sup
Sixth Avenue (K-5)	654	100	9	39	23	76	1	682	No	No	684	1	1	Watch
Tom Bradley Magnet (K-5)	370	85	11	10	74	24	0	688	Yes	No	689	1	3	Focus
Western Ave. (K-5)	521	89	17	32	26	74	0	765	Yes	No	753	3	7	Watch
Middle Schools														
Audubon (6-8)	660	100	18	12	62	36	0	696	No	No	713	1	6	Serv & Sup
Obama Global Prep (6-8)	756	100	15	24	31	69	0	620	No	No	605	1	1	Focus
Span														
Foshay Learning Ctr (K-12)	1,934	100	8	16	17	82	0	719	Yes	No	705	2	2	Serv & Sup
Charter Schools														
Alliance Chris. O'Donovan	450	89	10	21	13	87	0	708	No	No	711	2	2	Achieving
Apple Acad. (K-5)	372	88	8	10	60	39	0	708	*	*	*	1	1	Focus
Celerity Nascent (K-8)	562	99	7	13	52	48	0	910	Yes	Yes	889	9	10	Excelling
City Language Immer (K-3)	157	*	*	*	*	*	*	*	*	*	*	*	*	*
GAMES	*	*	*	*	*	*	*	*	*	*	*	*	*	*

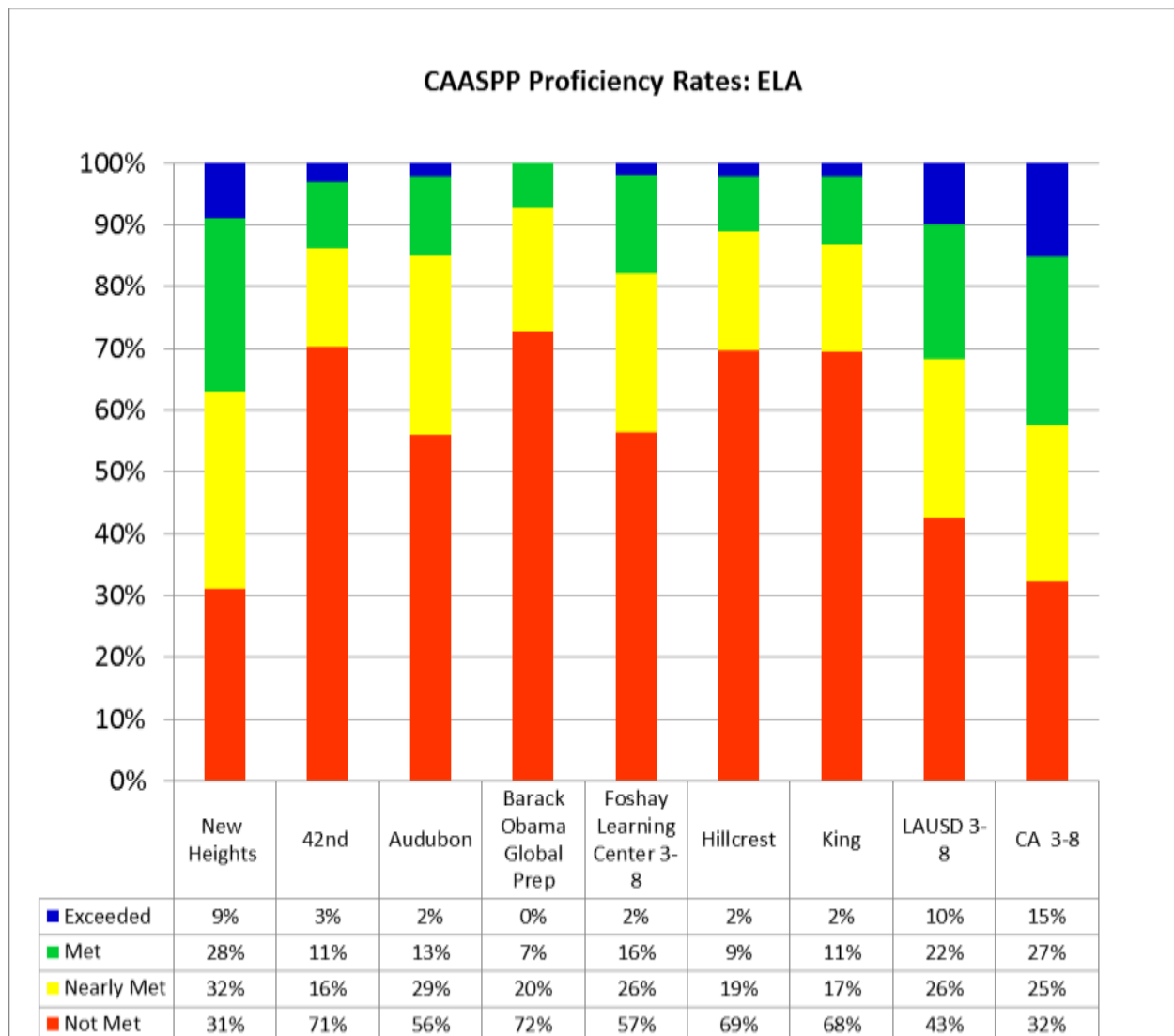
Garr Academy (K-5)	164	78	12	13	88	10	0	801	Yes	Yes	788	5	10	Serv & Sup
KIPP Scholar Acad.(5-7)	307	88	26	19	60	39	0	777	*	*	*	4	*	*
KIPP Vida Acad. (K-1)	225	*	*	*	*	*	*	*	*	*	*	*	*	*
Libertas College Prep	*	*	*	*	*	*	*	*	*	*	*	*	*	*
New Heights (K-8)	435	96	14	26	31	68	0	745	No	No	776	2	5	Focus

*No data available

Source: cde.ca.gov/Dataquest (2013 API Reports).

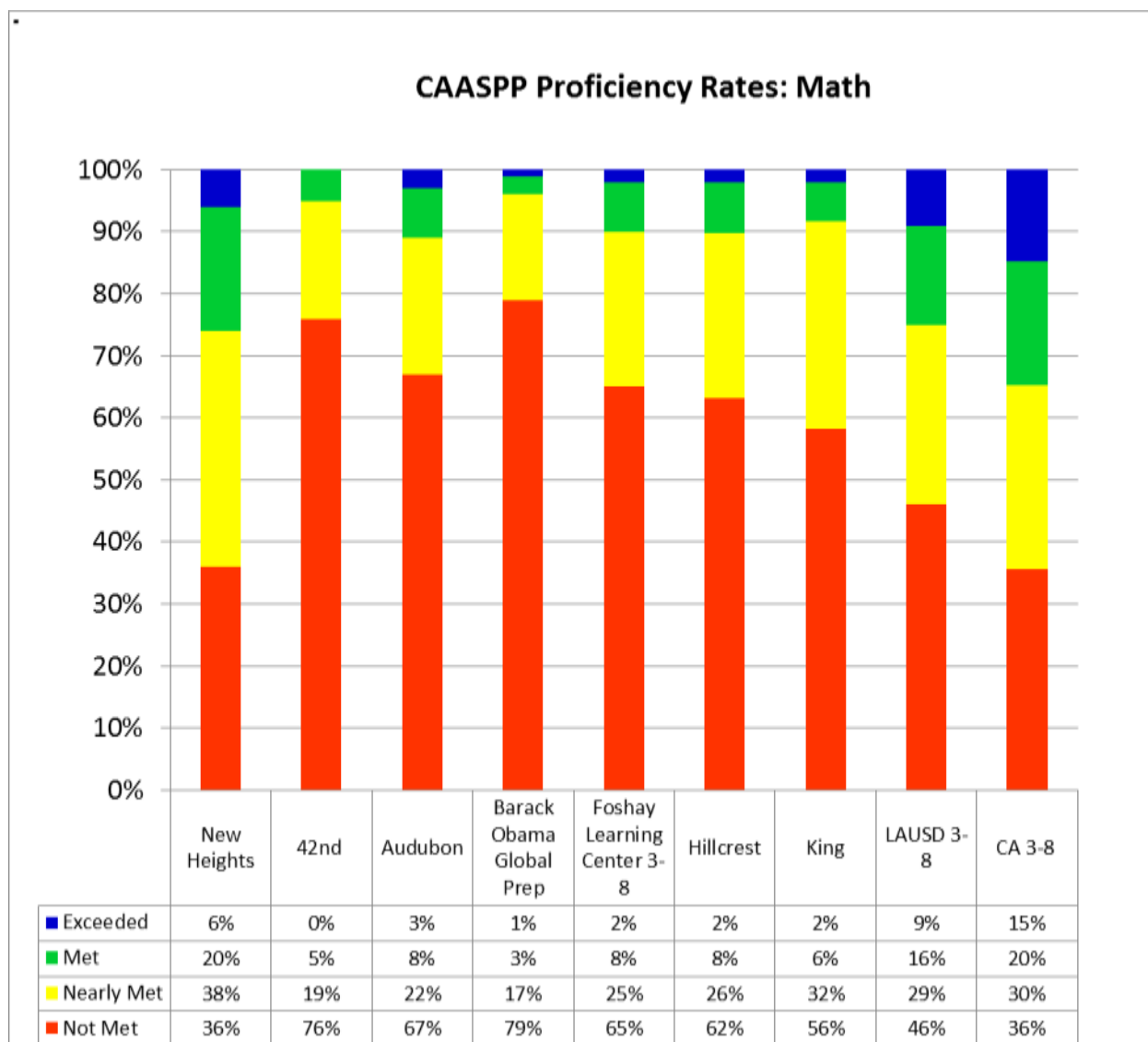
NHCS' 2015 CAASPP Proficiency Rates Exceeded LAUSD Average and all Resident Schools of Our Students for Grades 3-8

After the decline in our 2013 API scores, we were very encouraged that the efforts our faculty put in over the past few years to transition our students to the Common Core and prepare for the new CAASPP tests has materialized into very promising results, both schoolwide and for *all* subgroups. While our students still have significant room for growth, we are encouraged that higher percentages of students at NHCS Met or Exceeded state standards in ELA than LAUSD averages for grades 3-8 as well as the six primary resident schools our students would otherwise attend, and that significantly fewer students at NHCS were in the “Not Met” category:



Source: caaspp.cde.ca.gov/sb2015/Search.

Similarly, in Math, NHCS students Met or Exceeded state standards at a higher rate than all of the six primary resident schools and LAUSD, and, most notably, had approximately half as many students in the “Not Met” level as the comparisons. This bodes well for future growth as all schools work to get more students from Nearly Met to Met and from Not Met to Nearly Met and Met.

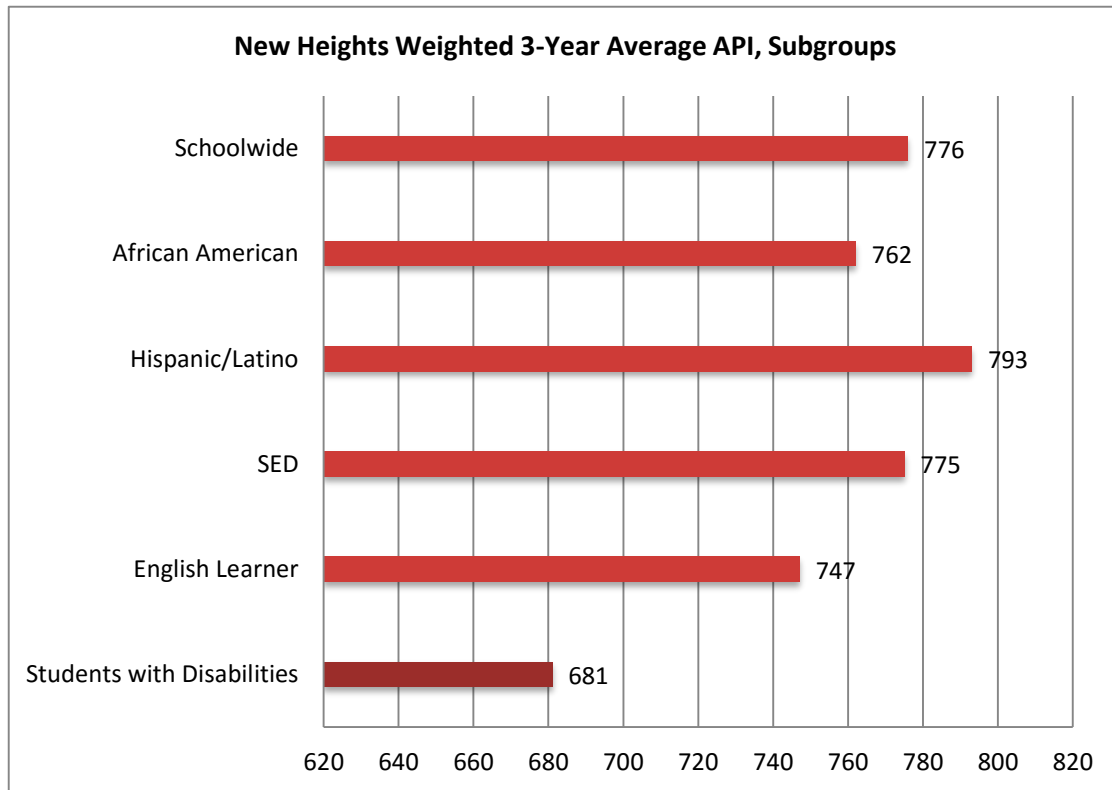


Source: caaspp.cde.ca.gov/sb2015/Search.

New Heights is Closing the Achievement Gap

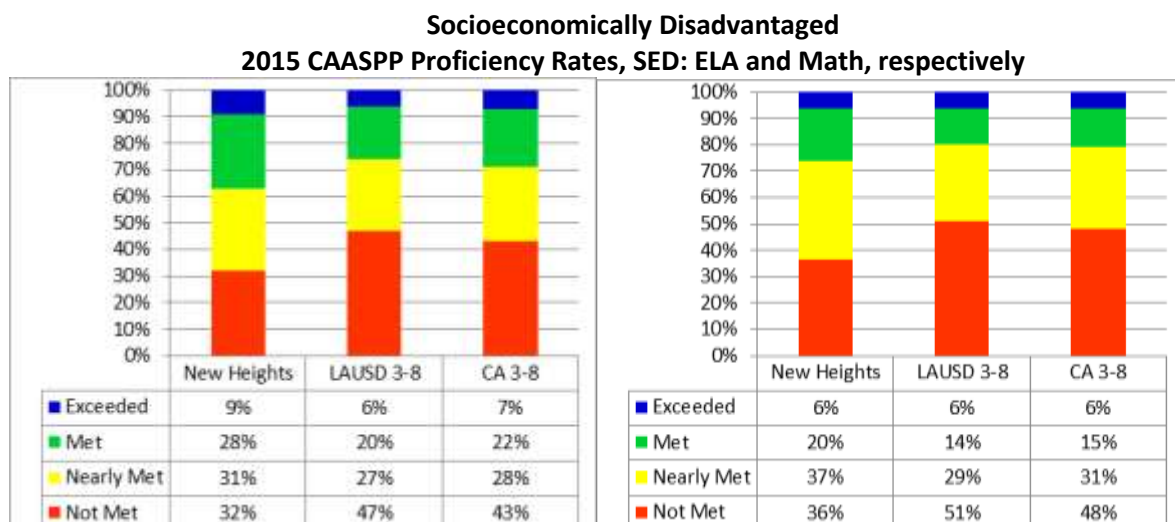
We are especially proud that as our schoolwide performance on state testing has outperformed other schools, we are demonstrating that our diverse students – African American, Hispanic/Latino, English Learners, Socio-Economically Disadvantaged (SED) and Special Ed are closing the achievement gap. Despite the 2013 drop in API scores, looking at the 3-Year Weighted API Average for NHCS subgroups compared to the overall schoolwide score:

- Hispanic/Latino students *exceeded* the schoolwide 3-Year Average
- African American students were at 98% of the schoolwide score
- English Learners were 92% of the schoolwide score
- Students qualifying for Special Education were 88% of the schoolwide score.



Source: cde.ca.gov/Dataquest (2013 API Reports).

And again, the CAASPP scores show even stronger results, with NHCS subgroups outperforming LAUSD averages for the same grade levels across virtually every measure, with significantly lower percentages of students in the “Not Met” category as well.

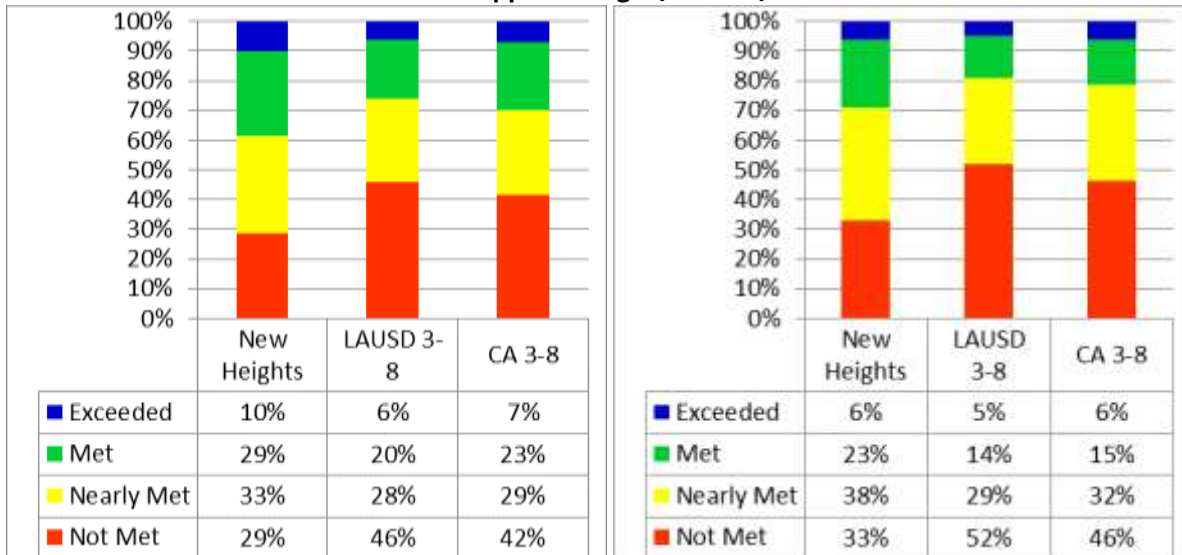


Source: caaspp.cde.ca.gov/sb2015/Search.

Hispanic/Latino

2015 CAASPP Proficiency Rates ELA and Math, respectively: Latino/Hispanic Students

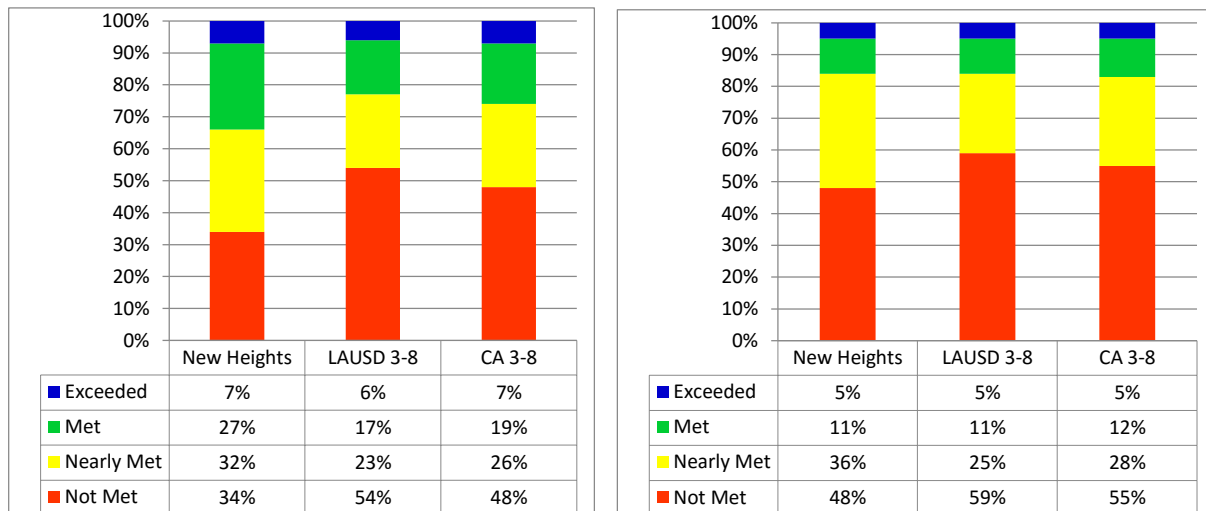
Source: caaspp.cde.ca.gov/sb2015/Search



African American

2015 CAASPP Proficiency Rates ELA and Math, respectively: African American Students

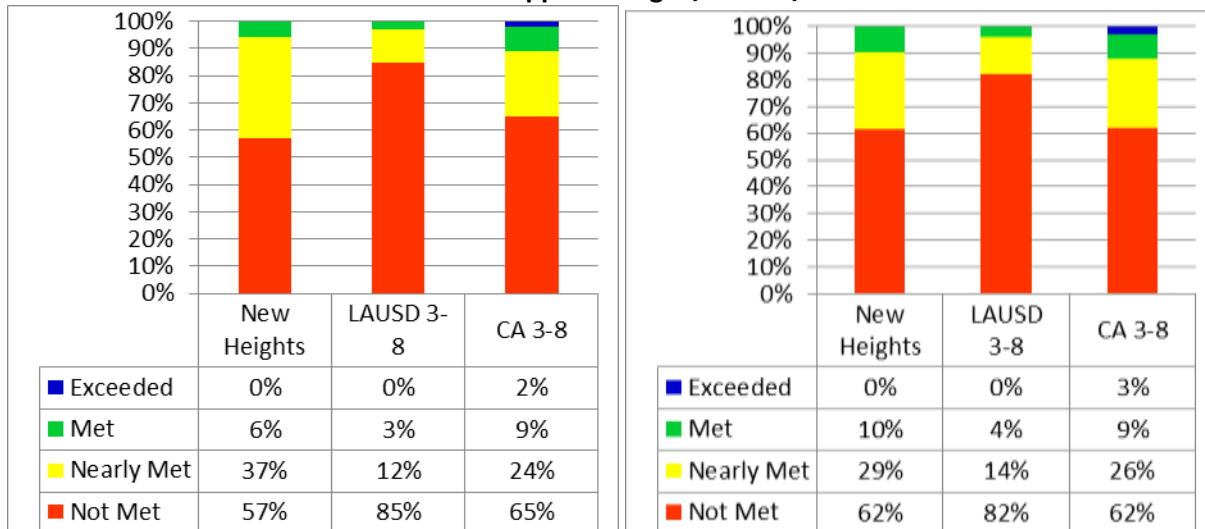
Source: caaspp.cde.ca.gov/sb2015/Search



English Learners

2015 CAASPP Proficiency Rates, English Learners: ELA and Math, respectively

Source: caaspp.cde.ca.gov/sb2015/Search



EL Students are Gaining Proficiency at High Rates

NHCS' EL 2014-15 reclassification rates and CELDT scores outperformed District and comparison schools:

- ❖ In the 2014-15 school year, New Heights reclassified 24% of the ELs -- exceeding the District's reclassification rate of 16.6%. (cde.ca.gov/Dataquest (English Learners Number and Percent Redesignated to FEP in 2014-15)).
- ❖ In the 2013-2014 school year, New Heights' internal data and EL folders demonstrate that the school reclassified 21 students out of 108 or 19% of the ELs. However, Dataquest information shows 0% students reclassified in 2013-14. The school's internal data for 2012-13 shows that 6 students were reclassified out of 126 or 5%, whereas the Dataquest information shows 1% reclassified in 2012-13. This discrepancy is due to errors made in data entry that were not realized within the correction window. Since this problem was discovered, the data has been corrected and New Heights improved the system staff uses to enter data, check data, and conform to all data correction windows. The Director of Operations is now responsible for data management and oversight of our reporting, working collaboratively with the school's back office partner, ExEd, so that the school has a "third eye" reviewing our data and supporting the school in flagging upcoming deadlines for data correction, when needed. The Director of Operations is fully trained in using CALPADS and has successfully managed the school's data since she took over this duty.
- ❖ On the CELDT exams in the 2013-2014 school year, 37 of ELs scored Advanced or Early Advanced, and 65 scored Intermediate or Early Intermediate.
- ❖ On the CELDT exams in the 2014-15 school year, 37 of ELs scored Advanced or Early Advanced, and 75 scored Intermediate or Early Intermediate.

Additional Indicators of Student Success

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

- LAUSD's CSD oversight evaluation results to date in the areas of governance, finance, and operations have been strong. On our 2014-15 CSD Site Visit Report, NHCS received a score of "3" for governance, "4" for finance and "3" for operations.

New Heights' has had zero suspensions and expulsions for the past 2 years -- significantly lower than LAUSD's 1.3% and the statewide rate of 4.4% (for all grades). Source: cde.ca.gov/dataquest (2013-14 Suspension and Expulsion Rates).

-
- New Heights' Average Daily Attendance (ADA) of 95% is consistently strong.
- New Heights is a partner school with UCLA's School of Education. In 2014-15, UCLA's School of Education placed eight student teachers at New Heights. NHCS implements progressive, research-based approaches similar to the methods taught at the School of Education, includes a focus on social justice, and has a school culture that actively promotes professional learning and collaboration, thus NHCS has been an ideal partner for UCLA's work to develop high-quality teachers.
- Finally, based on stakeholder surveys:
 - 100% of parents/families feel the school is a welcoming place
 - 86% of students feel a sense of belonging in our school
 - 100% of teachers feel valued for their contributions at school.

b. Success Of The Innovative Features Of The Educational Program

As detailed more fully in the sections below, New Heights' education program is founded in the recognition that children's academic, ethical, social, and emotional development are interrelated and interdependent. Students who feel connected to their school tend to have higher academic motivation and perform better academically, while being more unlikely to engage in problem behaviors such as violence and drug use (Blum, McNeely, & Rinehart, 2002; Resnick et al., 1997.)

As a small TK-8 school, New Heights is designed to meet the social and academic needs of students at all grade levels through a personalized, differentiated approach. Adults and students are able to create stable, close, and mutually respectful relationships to support all students' intellectual, emotional, and social growth as they grow. Teachers are trained in Responsive Classroom (RC) for TK-5 and Developmental Design (DD) for grades 6-8 to support students overall growth, with a focus on teacher language, developmental appropriate practices, respectful, relevant, and related consequences, morning meetings/Advisory, and collaborative problem-solving. Teachers use this training to implement RC and DD in the classroom on a daily basis.

Teachers use a workshop approach to actively engage students and build their understanding. Students learn how to be readers, writers, mathematicians, scientists, and creative thinkers. Students have opportunity for both independent inquiry and learning in cooperation with others. Multiple forms of assessments are used on an ongoing basis to better understand the learner's progress and needs, and to plan for further assistance. Students have opportunities to exhibit their expertise before family and

community during their Learning Celebrations/Exhibitions of Mastery. The Learning Celebrations actively demonstrate students' competence to their teachers, peers, parents, and community.

c. Success Of The School's Educational Program In Meeting The Specific Needs Of Its Student Population

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

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

d. Areas Of Challenge The School Has Experienced And How They Will Be Improved In The New Charter Term

Increased Differentiation: While differentiation of instruction has been a hallmark of our model, the significant and diverse needs of our students make this an ongoing challenge for our faculty. In 2014-15, we piloted a blended learning approach for math in 4th grade. The approach introduced the following small group rotation structure: 1) Teacher station, 2) Independent online/tech-based station where students have an individualized program, and 3) Collaborative work station (could be either paper/pencil or online.) The classrooms were supplied computer devices in the following arrangement: 1/3 desktop computers, 1/3 laptops/chromebooks, and 1/3 iPads. Both teachers and students reported high levels of engagement. Teachers benefited both from real-time data about student's mastery of specific skills as well as more time to devote to small group instruction as other students worked online. The 4th grade CAASPP math scores revealed an interesting data point: while 25% of 4th graders Met or Exceeded standards, only 21% of students in 4th grade rated Not Met -- the lowest percentage in that tier for the whole school. Staff concluded that at least two factors contributed to this outcome: 1) students' comfort level with online testing was higher than in other grades because they used computers every day for math and 2) students' in 4th grade, even the lowest performing students, had benefitted from the immediate feedback provided by the online programs, leading to greater confidence and effort while taking the test. In 2015-16, additional grades are now implementing blended learning strategies in their classrooms with a plan for a full schoolwide roll-out by 2016-17. As an added benefit of these programs, we anticipate seeing increased CAASPP scores as students become more comfortable and fluent in online work like the tests require.

The pilot, along with broader expansion this school year to six more classrooms (with schoolwide implementation planned for 2016-17), has been supported by Computers for Youth (CFY), now known as Power My Learning, a national nonprofit organization dedicated to supporting teachers, students and parents with digital learning to enhance personalization and student engagement in school. Our

teachers have enjoyed significant time to plan prior to the start of the school year with our coach from CFY, an expert in blended learning in math. Front-loaded professional development and hands-on in-classroom coaching during the launch week has ensured that students were sufficiently trained to use their devices and understand how to rotate through the math stations with efficiency. Differentiated, small group instruction at the “teacher station” has led to more students feeling successful with the math lessons each day. Teachers also have been supported by CFY to learn how to integrate various online resources such as the Power My Learning website and Zearn to both support the day’s lesson and fill gaps/help kids push ahead. (Zearn is an online program that aligns with the school’s math curriculum and provides animated videos, personalized practice, and learning labs.)

One new challenge arose during the pilot: teachers had to learn how to help students make efficient use of their time in the collaborative station. At this station, students are asked to solve challenging math problems by working together and discussing the various strategies they might try. By the end of last year, our 4th grade teachers had figured out ways to scaffold this part of the students’ math rotation so that students were able to work together more efficiently. However, this is an area in which teachers would like to continue to get coaching to experiment with additional ways to support students, so CFY will continue this work with us.

Habitual and Chronic Absenteeism: One of the school’s LCAP goals is to reduce habitual and chronic absenteeism. While analyzing data for the LCAP 2014-15, a troubling pattern emerged regarding chronic (4%) and habitual absenteeism (32%). After one year of extra efforts to meet with parents and support improved attendance, New Heights reported a slight improvement, as documented in the 2015-16 LCAP. We identified 17 students with chronic absenteeism (18 or more unexcused absences per school year) and 122 students with habitual absenteeism (5 or more unexcused absences annually) or 3.9% chronic absenteeism and 28% habitual absenteeism in the 2014-15 school year. While we are pleased with the decline in habitual absenteeism, there is significant work that remains to realize continued improvements. NHCS’ Student and Family Support Coordinator has been instrumental in this work, along with clarification of the school’s process of notifying parents in writing when there are issues, inviting parents to meet with school staff to problem-solve, and making the problem more visible to all parents through information flyers linking high absenteeism with a host of poor outcomes like increased likelihood of school drop-out and increased likelihood of incarceration.

Starting in 2015-16, we have expanded our Student and Family Support Team by two additional staff so that we can have more support for these families in need. The Student and Family Support Team also works with families who are having truancy problems. The support team uses weekly data generated from the attendance database to track the number of absences and help ensure follow-through on letters to parents notifying parents of attendance issues and also participates in meetings with parents to share information about why attendance is important, problem-solve, and set goals for improved attendance.

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

Even though the school has always maintained an average daily attendance of approximately 95%, well above the target goal of 90% set by the state's new API indicator, New Heights is concerned about the academic trajectories of students who make up the bulk of the school's absenteeism.

Language Development: New Heights faculty and leadership have identified language development as a key area of need for further development. Faculty training in language development – both for English Learners as well as English-Only students – has been a primary focus in recent years. Beginning in 2014 with implementation of new CCSS ELA/ELD standards, school leaders and faculty began a focus specifically on oral language development as a fundamental skill and pathway to developing stronger readers and writers. Students at New Heights, whether they are English Learners or English-only speakers, arrive at New Heights with a lack of academic language. In 2014-15, teachers participated in multiple coaching sessions focused on developing student partnership conversations in reading and writing workshop as well as grand conversations about social issues and read aloud books. Grand conversations are student-led whole class discussions that allow students to practice their listening and speaking skills.

While we have seen gains in academic language, we know there is more we can do to support students' development in this area. Moving forward, we intend to continue professional development focused on language development to support partner conversations in reading/writing workshop, partner /collaborative conversations in math, and small group conversations in science and social studies. In addition we have added a Teaching Partner with a specific focus on language development and EL students who struggle with reading, writing, and speaking. Teachers are also receiving support through our literacy coaches to understand the new ELD/ELA Framework, with an emphasis on formative assessment. The school will also review soon-to-be approved ELD materials later this winter to determine which new resources to integrate into our small group, designated language development sessions.

Balancing Conceptual and Procedural Math Instruction in Common Core Math: While teachers were familiar with some of the Common Core math approaches through their work with Singapore Math, the new Common Core standards and the transition to Common Core Math has uncovered a need to continue to work on providing a balance between conceptual and procedural understanding in math instruction. Current professional development led by our math coach is focused on helping teachers to deepen their knowledge of number sense, place value, fractions, and functions and the importance of understanding math as a "story of units and ratios" through math professional development and coaching from an expert in the curriculum used at New Heights. The math professional development has included school walk-throughs to identify areas of strength and future areas of growth, one-one-one coaching, schoolwide professional learning on the progression of important math ideas/concepts K-8, and classroom observations/feedback sessions. New Heights teachers will continue to work on developing both math fluency and deep conceptual understanding in order to improve our students' performance in math as measured by the CASSP assessment system.

Community Trauma: New Heights has made a commitment to utilizing the most up-to-date research and knowledge about how to best support our students socially and emotionally, with intensive teacher training and ongoing discussion each year to meet our students' and families significant needs. This work is challenging and ongoing. In 2015-16, we expanded our Student and Family Support team from one staff member to three, to ensure each grade band has dedicated support. In addition to working with families who have attendance/truancy issues, as discussed above, the Student and Family Support Team engages in the following activities:

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

In addition to ongoing training to create a culture of caring and safety, starting in 2015-16, New Heights has partnered with Thousand Joys, a trauma-informed therapeutic support organization to help support students, families, and staff. Thousand Joys is working weekly with three upper grade classes to support stress management, emotional regulation, and healing. Through their *Transform Program*, students will build resiliency so they can cope with stress and trauma in a constructive way. Based on solid research and pilot program testing, the techniques are practical and therapeutic, inspired by yoga, meditation, rhythm and other healing modalities. The partnership will engage parents, inviting them to complete a survey to ascertain their interest in being part of the effort and then designing parent supports based on parents' reported needs/interests. Throughout the year, the Student and Family Support Team will observe and learn from the Thousand Joys team so that they can sustain this work in future years. The whole staff will participate in two professional development sessions focused on effective communication and stress reduction.

2. SURROUNDING SCHOOLS

As noted above, New Heights is located in South LA in a very densely populated community. The following is a complete list of schools serving grades K-8 in a two mile radius. (The charts above include a detailed analysis of these schools' performance in comparison to NHCS. The schools highlighted in orange represent the most common resident schools for our students.)

SURROUNDING SCHOOLS DEMOGRAPHIC AND PERFORMANCE DATA														
Address: 2202 W Martin Luther King Jr. Blvd Los Angeles, CA 90008														
Elementary Schools	# of Students 2014-15	% Students Eligible for Free/Reduced Lunch	% Special Ed. Students	% English Learners	% African American	% Hispanic/Latino	% White	2013 Growth API	Met School-wide Growth Target?	Met Sub-group Growth Targets?	2011-2013 API 3 Year Average (Weighted)	2013 API State-wide Rank	2013 API Similar Schools Rank	2013-2014 School Performance Framework Classification (SPF)
42 nd Street (K-5)	251	87	12	7	69	28	2	640	Yes	No	644	1	1	Watch
59 th Street (K-5)	375	100	12	24	45	54	0	709	Yes	No	720	1	5	Watch

Angeles Mesa (K-5)	400	100	18	18	48	51	0	706	Yes	Yes	700	1	5	Watch
Birdielee Bright (K-5)	711	100	8	27	21	79	0	778	No	No	800	4	5	Watch
Hillcrest Drive (K-5)	717	100	11	33	46	53	0	707	Yes	No	675	1	5	Watch
Lenicia B. Weemes (K-5)	705	78	11	24	28	70	0	751	Yes	Yes	753	3	5	Watch
Martin Luther King (K-5)	481	99	8	25	30	67	0	716	No	No	726	1	2	Focus
Coliseum Steet (K-5)	262	89.5	22.9	30.5	45	52	0	654	No	No	672	1	1	Watch
Menlo Avenue (K-5)	593	85	17	41	19	80	0	753	No	No	767	3	8	Serv. & Sup
Normandie Ave (K-5)	903	100	13	35	21	78	0	740	Yes	No	738	2	5	Serv & Sup
Sixth Avenue (K-5)	654	100	9	39	23	76	1	682	No	No	684	1	1	Watch
Tom Bradley Magnet (K-5)	370	85	11	10	74	24	0	688	Yes	No	689	1	3	Focus
Western Ave. (K-5)	521	89	17	32	26	74	0	765	Yes	No	753	3	7	Watch
Middle Schools														
Audubon (6-8)	660	100	18	12	62	36	0	696	No	No	713	1	6	Serv & Sup
Obama Global Prep (6-8)	756	100	15	24	31	69	0	620	No	No	605	1	1	Focus
Span														
Foshay Learning Ctr (K-12)	1,934	100	8	16	17	82	0	719	Yes	No	705	2	2	Serv & Sup
Charter Schools														
Alliance Chris. O'Donovan	450	89	10	21	13	87	0	708	No	No	711	2	2	Achieving
Apple Acad. (K-5)	372	88	8	10	60	39	0	708	*	*	*	1	1	Focus
Celerity Nascent (K-8)	562	99	7	13	52	48	0	910	Yes	Yes	889	9	10	Excelling
City Language Immer (K-3)	157	*	*	*	*	*	*	*	*	*	*	*	*	*
GAMES	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Garr Academy (K-5)	164	78	12	13	88	10	0	801	Yes	Yes	788	5	10	Serv & Sup
KIPP Scholar Acad.(5-7)	307	88	26	19	60	39	0	777	*	*	*	4	*	*
KIPP Vida Acad. (K-1)	225	*	*	*	*	*	*	*	*	*	*	*	*	*
Libertas College Prep	*	*	*	*	*	*	*	*	*	*	*	*	*	*
New Heights (K-8)	435	96	14	26	31	68	0	745	No	No	776	2	5	Focus

*No data available

Source: cde.ca.gov/Dataquest (2013 API Reports).

C. STUDENT POPULATION TO BE SERVED

1. TARGET POPULATION

The target population at New Heights Charter School is low-income students of color in grades TK-8. Since opening in 2006, the New Heights student population has always included over 92% students eligible for free and reduced lunch (FRPL); in 2015-16, 98% of our students are FRPL, with 75% Hispanic/Latino and 25% African American. Currently, 29% of our students are English Learners (EL). Approximately 13% of our current students receive special education services.

2. ENROLLMENT PLAN

Five-Year Enrollment Plan

Grade	2016-17	2017-18	2018-19	2019-20	2020-21
TK /K	36	36	36	36	36
Kinder	44	44	44	44	44
1	47	47	47	47	47
2	47	47	47	47	47
3	48	48	48	48	48

4	48	48	48	48	48
5	48	48	48	48	48
6	49	49	49	49	49
7	49	49	49	49	49
8	49	49	49	49	49
Total	465	465	465	465	465

D. GOALS AND PHILOSOPHY

1. MISSION AND VISION

Mission

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

Vision

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

2. AN "EDUCATED PERSON" IN THE 21ST CENTURY

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

- **Socially, Emotionally, and Physically Healthy people able to:**
 - a. Cooperate and work with others
 - b. Effectively assert themselves
 - c. Take responsibility
 - d. Demonstrate empathy
 - e. Exhibit self-control
 - f. Develop and maintain a healthy lifestyle
- **Active Learners and Problem-Solvers able to:**
 - a. Learn independently and in groups
 - b. Participate in class activities fully, including using technology to solve problems
 - c. Ask questions

- d. Define a problem and seek out answers with technology as appropriate
- e. Summarize and synthesize information
- **Capable Communicators able to:**
 - a. Comprehend what they read
 - b. Convey their thoughts through writing, using technology as appropriate
 - c. Speak with clarity
 - d. Listen to understand
- **Effective Researchers and Experimenters able to:**
 - a. Understand and apply Mathematical Concepts
 - b. Understand and apply Scientific Concepts
 - c. Seek, analyze and present information and data using multiple modes, including technology.

3. HOW LEARNING BEST OCCURS

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

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

1. **Learner-centered:** Learner-centered environments pay careful attention to the knowledge, skills, attitudes, and beliefs that learners bring to the educational setting. Teachers must realize that new knowledge is built on existing knowledge—students are not blank slates. Therefore, **teachers need to uncover the incomplete understandings, false beliefs and naïve renditions of concepts that students have when they begin a course.** If these are ignored, students may develop understandings very different from what the teacher intends them to gain.
2. **Knowledge-centered:** Knowledge-centered environments take seriously the need to help students learn the well-organized bodies of knowledge that support understanding and adaptive expertise. **Teachers are wise to point their students directly toward clear learning goals—to tell students exactly what knowledge they will be gaining, and how they can use that knowledge.** In addition, a strong foundational structure of basic concepts will give students a solid base on which to build further learning.
3. **Assessment-centered:** Assessment-centered environments provide frequent formal and informal opportunities for feedback focused on understanding, not memorization, to encourage and reward meaningful learning. Feedback is fundamental to learning, but feedback

opportunities are often too scarce in classrooms. Students may receive grades on tests and essays, but these are summative assessments that occur at the end of projects. **What are needed are formative assessments that provide students with opportunities to revise and improve the quality of their thinking and understanding.** The goal is for students to gain meta-cognitive abilities to self-assess, reflect and rethink for better understanding.

4. **Community-centered:** Community-centered environments foster norms for **people learning from one another, and continually attempting to improve.** In such a community, students are encouraged to be active, constructive participants. Further, they are encouraged to make—and then learn from—mistakes. Intellectual camaraderie fosters support, challenge and collaboration.

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

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

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

The educational philosophy of New Heights supports students' academic achievement as well as their ability to become self-motivated, competent, lifelong learners. To do this, New Heights' educational program is based on knowledge of how to support students' intrinsic motivation to learn and how to organize learning to promote understanding. Research has demonstrated that student-centered learning approaches like those employed at NHCS are linked with increased motivation for learning, student engagement, and school connectedness (Barker, Terry, Bridger, & Winsor, 1997; Rowe et al., 2007; Wilson, 2000). Through small group work, class discussions, and cooperative learning activities, our students develop social relationships with their peers and adults, thus increasing school connectedness and their motivation to participate in school (Barker et al., 1997; Korinek, Walther-Thomas, McLaughlin, & Williams, 1999; Schaps & Soloman, 1990).

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

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

Although school connectedness often is overlooked as schools face significant pressures regarding academic performance, academic and lifelong success is related to feeling emotionally engaged and connected to the school environment.

(Sulkowski et al, *Connecting Students to Schools to Support Their Emotional Well-Being and Academic Success.*)

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

5. THE REQUIREMENTS OF CALIFORNIA EDUCATION CODE § 47605(B)(5)(A)(ii)

New Heights will pursue the following schoolwide and subgroup outcome goals, based on the state priorities detailed in California Education Code § 52060(d). Student performance and achievement of schoolwide, subgroup and individual student progress will be measured by multiple and varied summative and formative assessments that are aligned to state and federal standards (including the new Common Core) and reflect proficiency measures required by the new California Assessment of Student Performance and Progress (CAASPP)/SMARTER Balanced Assessments, as well as state priorities detailed in California Education Code § 52060(d).

The following chart details the school's goals as of this petition submission, for all pupils pursuant to California Education Code § 52052. We note that as required under the California Education Code, New Heights' stakeholders engage in a collaborative process each year to update and prepare an annual Local Control and Accountability Plan (LCAP) as a basis for prioritizing allocation of funds. The following is drawn from New Heights' 2015-16 LCAP, constructed prior to the release of 2015 CAASPP test results. As intended by the State legislature, throughout 2015-16, the LCAP team at New Heights will engage stakeholders in review of student achievement data (including CAASPP results) and include all available information in the annual goal setting process in the spring of 2016. It is important to note that while the school's LCAP process may result in some goals tied to initial 2015 CAASPP results, other goals may be tied to more current measures (i.e., internal benchmarks). Thus we do not believe it is possible to state clearly here what the goals will specifically be for 2016-17 or any subsequent year, given that the LCAP is revised each year based on a stakeholder involved data analysis and needs assessment. The following is intended to be illustrative of the goals and actions New Heights anticipates at this point in time, based on the data available prior to June 2015.

LCFF STATE PRIORITIES	
GOAL #1	
All classroom teachers will hold appropriate credentials; all teachers will be appropriately assigned.	Related State Priorities:
	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 7 <input type="checkbox"/> 2 <input type="checkbox"/> 5 <input type="checkbox"/> 8 <input type="checkbox"/> 3 <input type="checkbox"/> 6
	Local Priorities:
<input type="checkbox"/> : <input type="checkbox"/> :	
Specific Annual Actions to Achieve Goal	
New Heights will conduct a thorough search for new teachers in a process that ensures all new hires have the appropriate credentials and are assigned appropriately.	
Expected Annual Measurable Outcomes	

Outcome #1: 100% of TK-8 teachers will hold a valid California Multi-Subject Teaching Credential.

Metric/Method for Measuring: SARC

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	100% teacher certification	100% teacher certification	100% teacher certification	100% teacher certificati on	100% teacher certification	100% teacher certification
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						
African American Students						
Latino Students						

LCFF STATE PRIORITIES

GOAL #2

100% of students will have access to standards-aligned instructional materials.

Related State Priorities:

- ☐ 1 ☐ 4 ☒ 7
☒ 2 ☐ 5 ☐ 8
☐ 3 ☐ 6

Local Priorities:

- ☐:
☐:

Specific Annual Actions to Achieve Goal

1. Purchase new CCSS-aligned curriculum as needed (including new NGSS for science as introduced).
2. Ensure appropriate teacher training to fully implement CCSS-aligned curriculum.

Expected Annual Measurable Outcomes

Outcome #1: 100% implementation of CCSS-aligned curriculum materials for all grades.

Metric/Method for Measuring: SARC

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	100% of students have CCSS- aligned curriculum	100% of students have CCSS- aligned curriculum	100% of students have CCSS- aligned curriculum	100% of students have CCSS- aligned curriculu m	100% of students have CCSS- aligned curriculum	100% of students have CCSS- aligned curriculum
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						

African American Students						
Latino Students						

LCFF STATE PRIORITIES						
GOAL #3						
School facilities are clean and maintained in good repair.				Related State Priorities: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 7 <input type="checkbox"/> 2 <input type="checkbox"/> 5 <input type="checkbox"/> 8 <input type="checkbox"/> 3 <input type="checkbox"/> 6		
				Local Priorities: <input type="checkbox"/> : <input type="checkbox"/> :		
Specific Annual Actions to Achieve Goal						
1. Ensure appropriate staffing to maintain a facility that is clean and in good repair.						
Expected Annual Measurable Outcomes						
Outcome #1: Cleaning conducted in a timely manner and repairs reported in a timely manner. Metric/Method for Measuring: Site logs, SARC report.						
<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	>95% compliance	>95% compliance	>95% compliance	>95% compliance	>95% compliance	>95% compliance
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						
African American Students						
Latino Students						

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

Local Priorities:

☐:

☐:

Specific Annual Actions to Achieve Goal

The school staff will:

1. design and implement monthly education sessions for parents/guardians focused on building understanding of the demands of the Common Core;
2. increase services to support parents in attending educational sessions at school;
3. communicate regularly with parents/guardians through school website, phone outreach, texting, and mailings;
4. provide translation services at school events and translated materials for parents/guardians.

Provide trauma-informed support to students and families to reduce stress and increase students' abilities to have the confidence and perseverance to learn difficult academic concepts (Common Core) and handle difficult social situations.

Expected Annual Measurable Outcomes

Outcome #1: Increase participation in school-sponsored education events.

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

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	In 2014-15, 15% of parents attended two or more events outside of the two parent-teacher conferences.	Increase parent participation in two or more school events by 1-2% annually.	Increase parent participation in two or more school events by 1-2% annually.	Increase parent participation in two or more school events by 1-2% annually.	Increase parent participation in two or more school events by 1-2% annually.	Increase parent participation in two or more school events by 1-2% annually.
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						
African American Students						
Latino Students						

LCFF STATE PRIORITIES

GOAL #5

Increase the percent of students who are achieving ELA CA Common Core standards at grade level.

Related State Priorities:

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

Local Priorities:

☐:

☐:

Specific Annual Actions to Achieve Goal

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

Expected Annual Measurable Outcomes

Outcome #1: Schoolwide and all significant subgroups will increase ELA achievement (standards met or standards exceeded) above baseline.

Metric/Method for Measuring: SBAC

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	37% standards met or standards exceeded	Increase from baseline by 2% or achieve 39%	Increase from baseline by 2% or achieve 41%	Increase from baseline by 2% or achieve 43%	Increase from baseline by 1% or achieve 44%	Increase from baseline by 1% or achieve 45%
English Learners	6% standards met or standards exceeded	Increase from baseline by 1% or achieve 7%	Increase from baseline by 1% or achieve 8%	Increase from baseline by 1% or achieve 9%	Increase from baseline by 1% or achieve 9%	Increase from baseline by 1% or achieve 10%
Socioecon. Disadv./Low Income Students	37% standards met or standards exceeded	Increase from baseline by 2% or achieve 39%	Increase from baseline by 2% or achieve 41%	Increase from baseline by 2% or achieve 43%	Increase from baseline by 1% or achieve 44%	Increase from baseline by 1% or achieve 45%
Students with Disabilities	6% standards met or standards exceeded	Increase from baseline by .5% or achieve 6.5%	Increase from baseline by .5% or achieve 7%	Increase from baseline by .5% or achieve 7.5%	Increase from baseline by .5% or achieve 8%	Increase from baseline by .5% or achieve 8.5%
African American Students	35%	Increase from	Increase	Increase	Increase	Increase

	standards met or standards exceeded	baseline by 2% or achieve 37%	from baseline by 2% or achieve 39%	from baseline by 2% or achieve 41%	from baseline by 1% or achieve 42%	from baseline by 1% or achieve 43%
Latino Students	38% standards met or standards exceeded	Increase from baseline by 2% or achieve 40%	Increase from baseline by 2% or achieve 42%	Increase from baseline by 2% or achieve 44%	Increase from baseline by 1% or achieve 45%	Increase from baseline by 1% or achieve 46%

LCFF STATE PRIORITIES

GOAL #6

Increase the percent of students who are achieving math CA Common Core standards at grade level.

Related State Priorities:

- ☒ 1 ☒ 4 ☒ 7
☒ 2 ☒ 5 ☐ 8
☐ 3 ☒ 6

Local Priorities:

- ☐:
☐:

Specific Annual Actions to Achieve Goal

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

Expected Annual Measurable Outcomes

Outcome #1: Schoolwide and all significant subgroups will increase Math achievement (standards met or standards exceeded) above baseline

Metric/Method for Measuring: SBAC measures

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	26% standards met or standards	Increase from baseline by 2% or achieve 28%	Increase from baseline by 2% or	Increase from baseline by 2% or	Increase from baseline by 2% or	Increase from baseline by 2% or

	exceeded		achieve 30%	achieve 32%	achieve 34%	achieve 36%
English Learners	10% standards met or standards exceeded	Increase from baseline by 1% or achieve 11%	Increase from baseline by 1% or achieve 12%	Increase from baseline by 1% or achieve 13%	Increase from baseline by 1% or achieve 14%	Increase from baseline by 1% or achieve 15%
Socioecon. Disadv./Low Income Students	26% standards met or standards exceeded	Increase from baseline by 2% or achieve 28%	Increase from baseline by 2% or achieve 30%	Increase from baseline by 2% or achieve 32%	Increase from baseline by 2% or achieve 34%	Increase from baseline by 2% or achieve 36%
Students with Disabilities	6% standards met or standards exceeded	Increase from baseline by .5% or achieve 6.5%	Increase from baseline by .5% or achieve 7%	Increase from baseline by .5% or achieve 7.5%	Increase from baseline by .5% or achieve 8%	Increase from baseline by .5% or achieve 8.5%
African American Students	17% standards met or standards exceeded	Increase from baseline by 1% or achieve 18%	Increase from baseline by 1% or achieve 19%	Increase from baseline by 1% or achieve 20%	Increase from baseline by 1% or achieve 21%	Increase from baseline by 1% or achieve 22%
Latino Students	29% standards met or standards exceeded	Increase from baseline by 2% or achieve 31%	Increase from baseline by 2% or achieve 33%	Increase from baseline by 2% or achieve 35%	Increase from baseline by 2% or achieve 36%	Increase from baseline by 2% or achieve 37%

LCFF STATE PRIORITIES

GOAL #8

School will continue to maintain high ADA rate.

Related State Priorities:

- ☐ 1 ☐ 4 ☐ 7
☐ 2 ☒ 5 ☐ 8
☒ 3 ☐ 6

Local Priorities:

- ☐
☐

Specific Annual Actions to Achieve Goal

The Student and Family Support Team will:

1. Regularly analyze attendance data and work with parents to reduce absenteeism;
2. Develop systems for identifying, contacting, and supporting students who miss school
3. Use the Attorney General's attendance definitions of truancy, habitual truancy, chronic truancy and chronic absence to measure progress overtime.
4. Provide personalized support to students/families with chronic absenteeism.
5. Review and improve systems for supporting families of students with chronic absenteeism.

6. Conduct home visits as needed to support student attendance at school.
- New Heights uses a self-contained model for grades K-8 to maintain strong teacher-student relationships and ensure school attendance. In addition, New Heights has small class size (average 24) in grades 4-8 to ensure strong teacher-student relationships.
 - Support students, during transitions and outdoor time, to build their social skills and ensure a safe environment that promotes learning.

Expected Annual Measurable Outcomes

Outcome #1: Increase schoolwide attendance rates to 96%

1. Chronic absenteeism will be no more than 3%.
2. Reduce habitual truancy by 2%

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

<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	≥95% ADA all years, schoolwide and all subgroups Habitual truancy is 32%. Chronic truancy is 3%	≥95% ADA all years, schoolwide and all subgroups Habitual truancy will be 30%. Chronic truancy will be ≤ 3%	≥95% ADA all years, schoolwide and all subgroups Habitual truancy will be 28%. Chronic truancy will be ≤ 3%	≥95% ADA all years, schoolwide and all subgroups Habitual truancy will be 26%. Chronic truancy will be ≤ 3%	≥95% ADA all years, schoolwide and all subgroups Habitual truancy will be 25%. Chronic truancy will be ≤ 3%	≥95% ADA all years, schoolwide and all subgroups Habitual truancy will be 25%. Chronic truancy will be ≤ 3%
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						
African American Students						
Latino Students						

LCFF STATE PRIORITIES

GOAL #9

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

Related State Priorities:

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

Local Priorities:

- ☐:
☐:

Specific Annual Actions to Achieve Goal

Teachers will be trained in classroom management, behavior expectations and school culture policies and practices.						
Expected Annual Measurable Outcomes						
Outcome #1: Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$. Metric/Method for Measuring: Suspension/expulsion rates.						
<i>APPLICABLE STUDENT GROUPS</i>	<i>Baseline</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019</i>	<i>2019-2020</i>	<i>2020-2021</i>
All Students (Schoolwide)	$\leq .5\%$ suspensions and expulsions schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$, Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups	Discretionary expulsion rates will be maintained at $\leq 1\%$. Suspension rates will be $\leq 2\%$ schoolwide, and all subgroups
English Learners						
Socioecon. Disadv./Low Income Students						
Students with Disabilities						
African American Students						
Latino Students						
African American Students						
Latino Students						

E. INSTRUCTIONAL DESIGN

1. CURRICULAR AND INSTRUCTIONAL DESIGN OF THE EDUCATIONAL PROGRAM: KEY EDUCATIONAL THEORIES AND RESEARCH

Our instructional design is focused on the following core elements:

1. Learner-Centered: Personalized/Differentiated Instruction that Engages Students
2. Knowledge-Centered: Teaching for Understanding
3. Assessment-Centered: Frequent Formative Assessment as well as Summative and Performance-Based

4. Community-Centered: School Connectedness for Students and a Caring Learning Community for All

1. Learner-Centered: Active Engagement and Differentiated Instruction

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

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

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

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

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

A critical new tool at NHCS in our effort to personalize learning for each student is the use of blended learning in math instruction to support personalization. Through interactive online programs, learning is differentiated as teachers create individual "playlists" for students. Within these playlists, students can choose from different activities based on their preferences, and then as they engage in the curriculum, the system gives them instant feedback (e.g., praise for correct answers, or encouragement to try again) as they master the content. In many programs, the technology adjusts to meet student needs so that

students who are ready to proceed rapidly through content get increasingly levels of difficulty automatically, while those who need more time on a specific task do not advance as rapidly.

This approach has multiple advantages for our students: it allows them to progress at their own pace and fill-in gaps in their skills, it gives them a sense of responsibility and pride in that the school is allowing them to use and take care of these expensive and sought after devices, and it prepares them for the world of online testing. The U.S. Department of Education's Evaluation of Evidence-Based Practices in Online Learning: A Meta-Analysis and Review of Online Learning Studies of more than 40 studies found that "students who took all or part of their classes online performed better, on average, than those taking the same course through traditional face-to-face instruction." In addition, a study by the National Survey of Student Engagement reported that the online-learning experience yielded deeper use of "higher-order thinking, integrative learning, and reflective learning."

Knowledge-Centered: Teaching for Understanding

New Heights prepares students to transfer what they learn in school to their lives outside of school. Students learn how to be readers, writers, mathematicians, scientists, and creative collaborators. Teachers use a workshop approach to actively engage students and build their understanding. Teachers learn to clarify learning goals, focus on the "big ideas" of a subject, devise revealing assessments of student understanding, and craft effective and engaging learning activities.

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

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

New Heights faculty utilize multiple forms of assessments on an ongoing basis to better understand the learner's progress and needs, and to plan for further assistance (see Element 2). The process of formative assessment equally involves students as it does teachers, and applied effectively it can help students understand the learning goals, receive feedback about their progress toward learning goals, and use that feedback to plan next steps (Black and William 2009, Hattie 2012, 143). As stated in the ELD/ELA Framework for California, formative assessment allows teachers to make decisions to modify instruction in the moment, within a specific lesson or unit of instruction, or across a longer time frame. Formative assessment, in particular, provides many benefits to teachers and students." p.65

New Heights also uses Illuminate (as of 2014) to design interim and summative tests in math and English Language Arts. The school used the Smarter Balanced interim testing system for the first time in 2014-15 and will continue to utilize this resource. The interim and summative tests allow teachers and staff to track students' knowledge and analyze patterns across the grade levels and the school.

New Heights teachers also use and design performance tasks (similar to those found on the Smarter Balanced system) to provide students with opportunities to integrate content and skills across multiple content standards. In performance assessment, rather than choosing among predetermined options,

the students either construct or supply an answer or produce a product. The performance task contains some kind of stimulus material or information that serves as the basis for the response along with directions indicating the nature of the desired response. The responses are scored according to a clear set of standards.

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

Community-Centered: School Connectedness

Our emphasis on school connectedness is summarized in the following

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

(WestEd What Works Brief #4.)

Students who feel connected to their school tend to have higher academic motivation and perform better academically, while being more unlikely to engage in problem behaviors such as violence and drug use (Blum, McNeely, & Rinehart, 2002). Particularly for our older students, research shows that adolescent development, a time of dramatic cognitive growth, is best served when schools challenge students to use their minds well – the core of our mission – with challenge and appropriate supports. Curriculum and enrichments must be engaging and tap into children and adolescents’ curiosities, interests and energy. (National Forum for middle grades reform, website.)

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

The school’s approach to building social/emotional skills in support of academic learning is also guided by the research and writings of Carol S. Dweck, Stanford University psychologist. Her decades of

research on achievement and success show that teaching people to have a “growth mind-set,” which encourages a focus on effort rather than on intelligence or talent, helps make them into high achievers in school and in life.

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

Most days at NHCS begin with Morning Meetings for elementary students and a Circle of Power and Respect (CPR) for middle grades students. The four components of the meeting are the same in younger grades as in the middle grades: Greeting, Sharing, Group Activity, and News and Announcements. But the emphasis in a CPR reflects the unique needs of middle school students. Students learn to greet each other with respect; communicate with power and authority without putting each other down; listen to each other’s stories, hopes, and fears; and talk about the business of the day ahead. Morning Meeting and CPR provide an important step towards making school a safe and productive place for learning.

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

2. CURRICULUM

a. Key Features and Components

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

a. English Language Arts

The elements of the ELA program are aligned to the four strands of the *California Common Core Standards in English Language Arts* as well as the *California English Language Arts/English Language Development Framework*³: Reading, Writing, Listening and Speaking. We provide students with English Language Arts instruction that results in the ability to read, write, and communicate with competence and confidence in English across a range of personal and academic contexts.

³ <http://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp>

New Heights follows a balanced approach to literacy, with daily opportunities for students to read, write, listen and speak. Using structures such as Writing Workshop and Reading Workshop, students in TK-8 have daily opportunities to improve their skills and understanding of writing and reading. The Reading Workshop and Writing Workshop approaches were developed under the leadership of Lucy Calkins, the Founding Director of the Teachers College Reading and Writing Project, the Robinson Professor of Children's Literature at Teachers College, and the Director of the Literacy Specialist Program at Teachers College. The Reading and Writing Project has collected data related to student achievement to track the impact of their approach in New York City and the test scores show the students who participate in reading and writing workshop classes score better than other students.

The balanced literacy approach uses the following strategies: mini-lessons, partner shares, independent reading/writing, strategy groups, individual conferences interactive read aloud, shared reading/writing, interactive writing, and word study. The workshop structures are kept simple and predictable so that teachers can focus on the complex work of teaching in a responsive manner to accelerate achievement for all learners. This practice is well-supported by Dube, Bessette, & Dorval (2011) whose research demonstrated “the positive effects of the combination of flexible grouping, associated with the explicit teaching of writing are particularly clear in the subgroups of students with learning difficulties or severe learning difficulty in writing” (p. 181).

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

Components of Balanced Literacy

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

The components of balanced literacy include the following:

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

Word Study (Phonemic Awareness, Phonics, Sight Words, Spelling, Vocabulary Development): Word study is a daily component of balanced literacy for each grade and every level of reader and writer. This is the time of day for teaching phonics, spelling and vocabulary. Teachers in grades K-3 schedule at least 30 minutes a day for Systematic Instruction in Phonics, Phonemic Awareness and Sight Words (SIPPS) and 30 minutes a day for word study. At the beginning of the year teachers conduct a diagnostic test and/or spelling inventory to determine the path for individual students. Using this data, teachers form small groups to teach SIPPS. Groups are formed and reformed throughout the year based on mastery test data. Teachers also design activities such as word sorts, word hunts, and word games that support the various stages of spelling development. The teacher continually makes connections back to Writing Workshop, as well as analyzes student work on a regular basis to see application. Teachers also infused vocabulary instruction into all content area instruction, using visuals and other supports to scaffold learning. Word study usually occurs a minimum 4 days a week for 20 minutes. Teachers in grades 4-8 do word study and vocabulary instruction as described above in addition to mini lessons on grammar. Resources are used such as Words their Way, SIPPS, and other vocabulary/grammar resources.

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

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

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

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

The workshop approach to instruction is designed to support individualized learning and is tailored to the student, or group sitting in front of the teacher. The structures of workshop teaching calls for teachers to adapt a responsive stance to instruction, taking their cue from children and planning instruction that articulates next steps or goals that address their needs. Teachers plan units of study in advance, knowing there will be refinements along the way as students produce data for review. Teachers collect and study data on readers and writers, and then sit together with colleagues to plan your on-site adaptation of the curriculum. Teachers collaboratively study student data and plan instruction which is responsive to student's strengths and needs.

The routines and structures of a workshop are kept simple and predictable, as mentioned, so that the teacher can focus on the complex work of teaching in a responsive manner to accelerate achievement for all learners. Small group work and conferring are what a teacher spends a bulk of the workshop time engaged in, which provides the teacher with multiple opportunities to personalize instruction. Teachers use learning progressions to build on student's strengths to progress to the next levels. Students use checklists to promote self-assessment and goal setting so that instruction is tailored to each individual learner.

Reading Workshop: Reading workshops are structured to allow for students to read (eyes on print) every day for 30-45 minutes in the reading workshop. There is research evidence which suggests that volume of reading is linked to attaining higher-order literacy proficiencies (Allington, 2012; Brozo et al, 2008, Capielwski & Stanovich, 1992.) Anderson, Wilson, and Fielding (1988) researched the relationship between the amount of reading done and reading achievement. They found that the amount of time reading was the best predictor of reading achievement, including a child's growth as a reader from the second to the fifth grade. In addition to providing students research-supported protected time to read, workshop practices are also aligned with the research base supporting the notion that students should be reading texts they can read independently, with at least 96% fluency, accuracy, and comprehension, and supporting students to move up levels of text complexity. Teachers re-assess (often with informal running records) in independent reading novels and conduct more formal running records 4 times a year. Teachers closely monitor both reading volume and progress up levels.

One of the principles that inform the design of teacher's Units of Study for Teaching Reading, is a strong emphasis on students gaining the practices and skills of reading comprehension, and encouraging teachers to model the strategies that will help their students to acquire and draw on a repertoire of skills. Resources are used such as Calkins' Units of Study in Reading and levelled texts in classroom library.

Writing Workshop:

New Heights teachers currently use Calkins' Units of Study for Teaching Writing for guidance on how to lead strong, efficient Writing Workshops. Organized by sequential units of study, the curriculum provides coaching on how to teach students to write with greater clarity and focus. By detailing instructional choices, research theories, and the knowledge gained from 20 years of classroom

experience with this approach, each unit of study is designed to highlight effective methods and prepare teachers to design their own clear, sequenced, and effective instruction in writing.

Teachers design mini lessons to teach writing strategies that will help students move independently through the writing process while we teach responsively in small groups and individual conferences. The goal of the writing workshop is to turn students into writers through an emphasis on a high volume of writing and daily protected writing time in which to engage in the writing process. Students are engaged in the act of writing for at least four days a week for 45 minutes or longer each day. Graham, McKeown, Kiuahara, and Harris' meta-analysis (2012) also supports this practice stating, "writing strategies and knowledge play an important role in students' growth as writers. When students receive instruction designed to enhance their strategic prowess as writers (i.e., strategy instruction, adding self-regulation to strategy instruction, creativity/imagery instruction), they become better overall writers.

Hattie and Gladwell both maintain that there is a direct correlation between the amount of time we spend in pursuit of a habit, goal or skill and our individual growth in relation to that habit, goal or skill. In order for students to improve as writers, and build stamina, it is important for them to have long stretches of time to practice. Resources are used such as Calkins' Units of Study in Writing and mentor texts in classroom library.

Reader's Workshop and Writer's Workshop have similar formats and include the following instructional components:

- **MINI-LESSONS:** A mini lesson provides direct, explicit instruction for one specific teaching point. The teacher engages students in strategy with a demonstration and modeling of skill using a think aloud. The structure of an effective mini lesson is as follows:
 1. **CONNECTION:** Connect lesson with lesson from the day before stating what will be learned and setting the purpose for today's reading work
 2. **TEACHING:** Teach the new strategy using a mentor text and modeling with think aloud. Be very explicit and direct modeling what proficient readers do to comprehend text.
 3. **ACTIVE ENGAGEMENT:** Actively engage students in strategy use with a quick opportunity to try it out or discuss with a partner.
 4. **LINK:** Connect the lesson to the students on going reading work, "Today and every day when you read/write you will.... because that is what good readers/writers do."
 5. **AFTER WORKSHOP SHARE:** Revisit the strategy at the end of the workshop by sharing the successful work of students. This allows the teacher to make specific connections to ongoing reading work in the classroom.

Mini-lessons teach the myriad habits of good readers. They apply to readers at varying levels of proficiency, including those who are reading mostly pictures. Young readers might learn about the parts of a non-fiction book or how to figure out words they don't know while later readers may discuss character, setting, inference, figurative language or the characteristics of a particular genre. Some mini-lessons give ideas for how to talk about our book or be a good listener for our partner. Above all, they teach that good readers think about and interpret the meaning of the text.

- **INDEPENDENT READING/WRITING:** To support productive independent reading, students are given the Fountas and Pinnell Benchmark Assessment Test to determine their appropriate reading fluency and comprehension level, and then are given the opportunity to "shop" for books in the

classroom library to fill their book bags with titles at their level and challenge books (one level up.) Students in 3rd grade and higher keep a journal and respond to the literature in terms of what they think or how they feel about what they are reading or students write in different genres depending on the unit.

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

Various studies have shown that *allowing students to choose their own texts fosters engagement and increases reading motivation and interest* and that to progress in their reading, children need to choose and read lots of books at their *just right* level; in other words, books where they know 95-99% of the words. Every classroom has many books at every level so that each child has many books from which to choose. By reading many books at a comfortable level, children will enjoy reading, develop reading stamina and progress to more challenging texts. Students' interests influence the growth of each classroom library on a yearly basis.

To ensure a rich and varied diet of reading experiences for our students, teachers at every level follow a curriculum of study units in Readers (and Writers) Workshop. Study units may focus on a genre — biography, non-fiction or poetry —or they may focus on an aspect of being a great reader — *Building a Reading Life* or *Close Reading and Interpretation*. Some units of study are integrated with social studies or science units — *Narrative Non-Fiction of Colonial America* or *Science Research Clubs*. English Learners and students who are struggling are provided access to reading materials through use of leveled libraries with high-interest books at all levels, reading conferences with teachers, one-on-one reading tutoring; and partner reading. Since students develop more quickly as fluent readers and writers if they have had numerous opportunities to listen to fluent readers, students listen to fluent readers frequently through shared reading, read-alouds, books on tape, and listening centers. Additional support for students demonstrating difficulties in writing might include scaffolding in the form of graphic organizers or sentence frames, more frequent meetings with the teacher and peer support in the form of a specific writing partner. Teachers might also allow students struggling to articulate their thoughts on paper to dictate their ideas to them in order to facilitate the writing process until students become more confident in their abilities.

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

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

learn to use proper posture and eye contact, focus their presentation, and speak in a clear, audible voice. Peers learn to listen carefully and respond with constructive questions that expand on the original subject, or empathetic comments that relate to the sharer's experience.

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

b. English Language Development (ELD)

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

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

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

c. Mathematics

Students acquire a combination of mathematical skills and conceptual understanding in math. New Heights' mathematics curriculum incorporates the curriculum content specified in California Common Core Math standards. In 2013, teachers and the leadership began to pilot Eureka Math/Common Core Math to develop students' mathematical thinking and strategies for solving problems. This approach emphasizes computational fluency as well as conceptual and strategic thinking processes. The curriculum emphasizes problem-based development of mathematical concepts and use of visuals to show how to solve multistep problems. The approach moves from the concrete and visual to the more abstract. Research in high-poverty schools has shown that this is more effective for developing students' mathematics skills and knowledge than simply learning discrete skills alone shown (Knapp, Adelman, et

al., 1995). Teachers design worthwhile, accessible mathematics tasks that require reasoning, problem formulation, and problem solving that invites all students, boys and girls, diverse cultural groups, and language groups into mathematics. Through the use of hands-on experiences, students engage in conversations and writing about math.

1. Concrete to Pictorial to Abstract: Teachers take students through lessons and concepts in this order. They begin with a concrete approach where students learn new concepts with the help of manipulatives for better understanding across all of the grades. From there they move to pictorial examples of the same concept. Finally, they move onto a more abstract stage using only numbers and symbols. This enables each child, including students that have different learning styles and special needs, to not only learn the concept, but also to fully understand the concept taught.
2. Students are asked to think about math, rather than simply memorize steps to solve a problem. With this math approach, students are taught that there are often different ways to solve a problem and are encouraged to explain their thought process to classmates. This helps students to understand the math, rather than just memorize the steps to solve a math problem.
3. Concepts are covered throughout the grades with increased difficulty. This spiraling enables the upper grades to have a clearer, deeper understanding of all concepts taught.

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

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

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

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

d. History-Social Science

New Heights' history and social sciences curriculum incorporates the curriculum standards specified in the *History-Social Sciences Content Standards for California Public Schools: Kindergarten through Grade Twelve*, *CCSS for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects* (CA CCSS for ELA/Literacy), and *2014 ELA/ELD Framework*. New Heights emphasizes the use of fiction and nonfiction literature and the arts in social studies to shed light on the life and times of the people and incorporate multiple perspectives. Writing projects, role-playing, and cooperative learning are used to stimulate students' thinking and develop understanding.

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

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

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

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

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

Six instructional strategies are embedded in the curriculum:

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

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

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

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

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

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

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

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

e. Science

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

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

The science program focuses on:

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

In TK-grade 8, students study the core ideas of science with resources that align to NextGen standards. Currently, students in grades 2-5 are using Lawrence Hall's *Seeds of Science / Roots of Reading*. The resource is currently being piloted nation-wide for grades K-1 and grades 6-8. New Heights teachers were invited by staff from the Lawrence Hall of Science to pilot these materials and offer feedback for their final refinement. Until the complete sequence is available, teachers have received guidance from Lawrence Hall staff regarding appropriate choices of curriculum currently available. Thus, in grades TK-1 teachers are using Lawrence Hall's GEMS Guides in concert with their piloting of new materials developed by Lawrence Hall in the Seeds of Science series. Teachers in grades 6-8 are using a combination of GEMS Guides as well as Project-Based Science, and piloting NextGen units through Lawrence Hall.

Seeds of Science units are based on three guiding principles (taken from the *Seeds* website):

1. Students investigate to make sense of the natural world using hands-on and resource-based investigation that mirror real-world key concepts and skills.
2. To capitalize on science and literacy synergies, *Seeds* uses instructional strategies for science inquiry and reading comprehension that naturally overlap.
3. *Seeds* strategically employs multiple learning modalities to create an ongoing cycle of learning. For example:

- a. Do-it: Students model the process of erosion by shaking hard candies in a jar and observing that the candies get smaller.
- b. Talk-it: Students discuss the risks of building a house on a cliff overlooking the ocean.
- c. Write-it: Students create an illustrated storyboard to chronicle the erosion of an ocean cliff.
- d. Read-it: Students read a nonfiction book about erosion and the natural forces that can cause it.

f. Visual and Performing Arts

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

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

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

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

g. Health and Physical Education

New Heights' Physical Education curriculum is based on the *Physical Education Framework for California Public Schools: Kindergarten through Grade Twelve*. The curriculum promotes excellent physical, social, and emotional health among students.

New Heights uses the SPARK curriculum, a research-based approach which includes instructional units that make physical education class inclusive, active, and fun. Each curricular component is presented in scope and sequence via daily lesson plans. ASAP's (Active Soon As Possible) provide an enjoyable warm-up before the main lesson. The SPARK curriculum also contains academic integration tips (with a special emphasis on literacy) and social skills themes by grade level. To support Health Education, the school uses the Family Life and Sexual Health (FLASH) curriculum in grades 6-8. The goals of FLASH are to assist in the development of persons who are knowledgeable about human development and reproduction, who respect and appreciate themselves, their families and all persons, and who will neither exploit others or allows themselves to be exploited.

3. INNOVATIVE CURRICULAR COMPONENTS

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

4. INTERVENTION AND ENRICHMENT PROGRAMS

Details about enrichments are provided above; details about the school's intervention programs are woven throughout Element 1 and discussed in detail below.

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

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

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

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

5. CURRICULAR AND INSTRUCTIONAL MATERIALS

New Heights uses CCSS-aligned instructional materials such as:

Language Arts	Leveled Books; Readers & Writers' Workshop Units of Study; SIPPS.
Mathematics	Eureka Math/Common Core Math
Social Studies	Social Studies Alive! (K-5), History Alive! (6-8)
Science	Lawrence Hall's GEMS Guides (TK-1), Seeds of Science/Roots of Literacy (2-5), GEMS Guides (6-8), Seeds of Science and Project-Based Science
ELD	Rosetta Stone. (NHCS will select from newly adopted ELD materials in the fall of 2015.)
P.E./Health	SPARK/FLASH
Visual & Performing Arts	Teacher-designed lessons and units.

6. COMPREHENSIVE COURSE LIST

Not applicable.

7. INSTRUCTIONAL METHODS AND STRATEGIES

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

Learner-Centered

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

2. Differentiation through blended learning (current focus is math): Blended learning offers a number of advantages:

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

citizenship, students participate in Common Sense Media’s education programs online each year.

Knowledge-Centered

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

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

Assessment-Centered

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

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

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

Community-Centered

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

Responsive Classroom (TK-5th) and Developmental Designs (6th-8th): These approaches support students’ social/emotional development and build classroom community. Both Responsive Classroom and Developmental Designs include a collection of practices that bring together social/emotional and academic learning. The guiding principles include the understanding that to be successful academically and socially, children need a set of social skills: cooperation, assertion, responsibility, empathy, and self-control. Teachers use such practices as Morning Meeting, joint rule creation, interactive modeling, and collaborative problem-solving. Each of the practices seeks to foster a “positive social context” which in turn facilitates academic learning.

8. HOW THE SCHOOL'S INSTRUCTIONAL METHODOLOGIES AND CURRICULUM WILL ENSURE STUDENT MASTERY OF THE CALIFORNIA CCSS AND OTHER STATE CONTENT STANDARDS

In addition to utilizing standards-aligned published curriculum (text and online), all New Heights faculty have received extensive training in unit planning and alignment with the CCSS, Next Generation Science Standards and the English Language Development Standards. Through ongoing assessments and review of data, teachers and school leaders continuously monitor student mastery of content standards. This data is also used by school leaders to monitor teacher efficacy and the fidelity of CCSS-implementation, and to provide additional training and coaching as needed. (See Elements 2/3 for additional information about assessments and the use of data to guide instruction.)

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

The most dramatic shift at New Heights in the past three years has been the integration of technology at the classroom level, especially to support math instruction. A study by the National Survey of Student Engagement reported that the online-learning experience yielded deeper use of “higher-order thinking, integrative learning, and reflective learning.” (NSSE 2010.) As noted above, following a successful pilot of blended learning programs in 4th grade math in 2014-15, New Heights is expanding blended learning to grades 2-8 by 2016-17. (Students in TK-1 used ipads for language development, enrichment, and basic skills development in math, however, they may not use the same rotation approach for math that will be implemented in the other grades.)

In addition to the blended learning math approach, New Heights also uses technology in the following ways:

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

10. GRADUATION REQUIREMENTS (INCLUDING THE NUMBER/TYPE OF UNITS REQUIRED.) AND A-G REQUIREMENTS

Not applicable.

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

WASC ACCREDITATION

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

As noted above, New Heights currently has a full six-year accreditation term from WASC.

12. HOW CHARTER SCHOOL WILL INFORM PARENTS, INCLUDING PARENTS WITH LIMITED ENGLISH, ABOUT COURSE TRANSFERABILITY AND COLLEGE ENTRANCE REQUIREMENTS

Not applicable.

13. TRANSITIONAL KINDERGARTEN

TRANSITIONAL KINDERGARTEN

Charter School shall comply with all applicable requirements regarding transitional kindergarten

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

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

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

Teachers in TK-K emphasize the importance of storytelling and books (each child chooses a book from the classroom library to take home each week), and focus on English language acquisition through both academics and play. There are a myriad of ways in which the students have early listening and speaking opportunities focused on vocabulary and grammar, which build a foundation for kindergarten standards. The students use ipads daily with apps in various genres (alphabet, storytelling, learning shapes and colors, and more). The students have both writing folders (based on Writers' Workshop) and poetry folders, with students learning a new poem weekly. Brief homework assignments are designed to engage parents in their children's learning.

F. ACADEMIC CALENDAR AND SCHEDULES

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.

1. ACADEMIC CALENDAR

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

Proposed New Heights Calendar 2016-17	
08/17/2016 - First Day of School	01/24/2017- Early Dismissal 1:15/1:25
08/23/2016- Early Dismissal 1:15 p.m. / 1:25 p.m.	01/31/2017- Early Dismissal 1:15/1:25
08/30/2016- Early Dismissal 1:15/1:25	02/03/2017 – Prof. Development – School Closed
09/05/2016 - Labor Day - School Closed	02/07/2017- Early Dismissal 1:15/1:25
09/06/2016 - Early Dismissal 1:15/1:25	02/14/2017- Early Dismissal 1:15/1:25
09/13/2016- Early Dismissal 1:15/1:25	02/20/2017 - President's Day - School Closed
09/16/2016- Prof. Development- School Closed	02/21/2017- Early Dismissal 1:15/1:25
09/20/2016- Early Dismissal 1:15/1:25	02/28/2017- Early Dismissal 1:15/1:25
09/27/2016- Early Dismissal 1:15/1:25	03/03/2017 – Prof. Development - School Closed
10/04/2016- Early Dismissal 1:15/1:25	03/07/2017- Early Dismissal 1:15/1:25
10/11/2016- Early Dismissal 1:15/1:25	03/14/2017 - Conferences-Early Dismissal 1:15/1:25
10/18/2016 Conferences Early Dismissal 1:15/1:25	03/15/2017 - Conferences- Early Dismissal 1:15/1:25
10/19/2016 Conferences Early Dismissal 1:15/1:25	03/16/2017 - Conferences-Early Dismissal 1:15/1:25
10/20/2016 Conferences Early Dismissal 1:15/1:25	03/21/2017- Early Dismissal 1:15/1:25
10/25/2016- Early Dismissal 1:15/1:25	03/27/2017 to 03/31/2017 - Spring Holiday
10/31/2016- Prof. Development-School Closed	04/04/2017- Early Dismissal 1:15/1:25
11/01/2016- Early Dismissal 1:15/1:25	04/11/2017- Early Dismissal 1:15/1:25
11/08/2016- Early Dismissal 1:15/1:25	04/17/2017 - School Closed
11/11/2016 - Veterans Day - School Closed	04/18/2017- Early Dismissal 1:15/1:25
11/15/2016- Early Dismissal 1:15/1:25	04/25/2017- Early Dismissal 1:15/1:25
11/22/2016- Early Dismissal 1:15/1:25	05/02/2017- Early Dismissal 1:15/1:25
11/23/2016 - 11/25/2016 - Thanksgiving Holiday	05/09/2017- Early Dismissal 1:15/1:25
11/29/2016- Early Dismissal 1:15/1:25	05/16/2017- Early Dismissal 1:15/1:25
12/02/2016 –Prof. Development-School Closed	05/23/2017- Early Dismissal 1:15/1:25
12/06/2016- Early Dismissal 1:15/1:25	05/29/2017 - Memorial Day - School Closed
12/13/2016- Early Dismissal 1:15/1:25	05/30/2017- Early Dismissal 1:15/1:25
12/19/2016 - 01/06/2017 - Winter Holiday	06/06/2017- Early Dismissal 1:15/1:25

01/10/2017- Early Dismissal 1:15/1:25	06/12/2017 - Last Day Early Dismissal 1:15/1:25
01/16/2017 - Dr. Martin L. King Jr. Holiday	
01/17/2017- Early Dismissal 1:15/1:25	

2. SAMPLE DAILY SCHEDULES

TK-2 Schedule

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

3rd-8th Grade Schedule

	Monday	Tuesday	Wednesday	Thursday	Friday	Instr Mins
8:25-8:45	Morning Meeting/ Advisory	Morning Meeting/ Advisory	Morning Meeting/ Advisory	Morning Meeting/ Advisory	Morning Meeting/ Advisory	20
8:45-9:45	Reading Workshop	Reading Workshop	Reading Workshop	Reading Workshop	Reading Workshop	60
9:45-11:15	Soc Studies	Soc Stud/ Science	Science	Science	Social Studies	90

11:15-11:30	Nutrition	Nutrition	Nutrition	Nutrition	Nutrition	
11:30-12:40	Math	Math	Math	Math	Math	70
12:40-1:10	Lunch	Lunch	Lunch	Lunch	Lunch	
1:10-2:00	PE		PE	PE	PE	50
2:00-2:50	Writing & Technology	1:10-1:25 Grammar/ Word Study	Writing & Technology	Writing & Technology	Writing & Technology	50 x 4 15 x 1
2:50-3:25	Art / Health	Early Dismissal/ Teacher PD	Shared Reading/ Grammar	Word Study/ Grammar	Shared Reading/ Grammar	35 x 4
Total Minutes	Regular Day	375 min.		Total Minutes	Early Day	255 min.

3. INSTRUCTIONAL DAYS AND MINUTES

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

4. EARLY COLLEGE AND MIDDLE COLLEGE HIGH SCHOOLS ATTENDANCE REQUIREMENTS OF ED. CODE SECTION 46146.5, AS AMENDED BY SB 379.

Not applicable.

G. TEACHER RECRUITMENT AND PROFESSIONAL DEVELOPMENT

1. TEACHER RECRUITMENT

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

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

2. PROFESSIONAL DEVELOPMENT

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

- 1. Reflection:** Each year, teachers reflect on their progress and set goals for the next year within the framework of the school's mission. Teachers reflect on their areas of strength, their areas of needed growth, and set goals for the following school year within the school's vision:
 - **Knowledge-Centered:** New Heights teachers organize curriculum, instruction, and assessment around powerful ideas and essential skills.
 - **Learner-Centered:** Students are actively engaged in the learning process, rather than passive recipients of teachers' knowledge.
 - **Assessment-Centered:** Multiple forms of assessments are used on an ongoing basis to better understand the learner's progress and needs, and to plan for further assistance. At least once a year, students exhibit their expertise before family/community during Learning Museums.
 - **Community-Centered:** Teachers spend time, through class meetings and individual conferences to get to know each student individually and deepen their understanding of how to address his or her academic and social needs. New Heights strives to be a place that is comfortable and inviting to all. The school works to actively cultivate a feeling of respect, trust, and partnership between students, parents, and teachers.
- 2. Setting Goals and Identifying Needed Professional Development Supports at the Beginning of Each Year:** Each year starts with teachers setting professional development goals (based on their end year reflections if they are returning teachers) and identifying areas needed for growth.
 - Teachers review the Teacher Expectations document to identify the areas in which they need to most support. Teachers consult with the Executive Director and content coaches for feedback/input.

- Teachers identify the ways in which they would like support. For example, teachers may request a particular kind of coaching approach, planning support, or a demonstration lesson.
 - Teacher goals and preferences for professional development support are shared with coaches and taken into consideration for the design of each professional development experience for the year.
3. **Ongoing Feedback and Improvement:** Coaches engage in formative assessment/refinement in their work with teachers. This means coaches check-in with teachers throughout the sessions adjusting their support based on teachers' needs/interests/feedback.
 4. **Mid-Year Check-In:** Teachers, coaches, and the Executive Director make adjustments based on feedback on an ongoing basis. In addition, mid-year teachers are asked to reflect on their progress and to restate their preferences for professional development support on the Teachers Expectations document mid-way through the year.
 5. **End Year Reflection:** In addition to the individual end year reflection described above, teachers also reflect and give feedback on professional development supports.

PROFESSIONAL DEVELOPMENT STRUCTURES

1. Each summer, prior to the start of the school year, all teachers participate in approximately 10 days of professional development to build understanding of research-based curriculum materials, develop community, and focus on school wide goals.
2. Throughout the school year, teachers continue to engage in a three-hour block of professional development or team planning time every Tuesday during student early release time. These sessions include opportunities for teachers to participate in grade level coaching sessions, whole faculty professional development in content areas or classroom management/social-emotional development, grade band Support Study Team discussions to prepare individual students success plans, and individual and grade level planning.
3. The school calendar includes 5 pupil-free days during the school year for faculty to engage in professional development in the professional development focus area for the year and data analysis.
4. Teachers receive job-embedded professional development from the school's Literacy Coaches, Math coaches, Science coaches, and Responsive Classroom coach. The coaches provide demonstration lessons, co-teaching opportunities, planning support, and teaching labs to improve teachers' instruction in reading and writing. The coaches support teachers with math instruction, English Language Learners, and classroom management.
5. **Data Analysis and Planning:** Teachers determine which student work / test data to collect, grade and sort, norm with colleagues, determine areas of strength and weakness, plan future instruction based on analysis.

FOCAL AREAS FOR PROFESSIONAL DEVELOPMENT

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

Topics are chosen based on student data, past adult learning, and alignment with the school vision. The current year's focus for professional development includes the implementation of Readers' and Writers' Workshop strategies to increase students' reading fluency and comprehension and writing. The focus will also include the continued launch of Eureka Math/ Common Core Math curriculum TK-8, continued launch of Seeds of Science/Roots of Reading (2-5) and other NextGen Science materials for grades TK-1 and 6-8 as well as integrating Responsive Classroom /Developmental Designs approaches to support classroom management and students' social-emotional development.

H. MEETING THE NEEDS OF ALL STUDENTS

1. STUDENT SUCCESS TEAM

Any faculty member who thinks a student may have a disability brings supporting data to a meeting with other faculty members in a Support Study Team meeting. Parents are included in these meetings, although meetings may occur with school staff only, if parents are not available for more than a 10 day window. SST Meetings are held in concert with the school's response to intervention process which includes goal-setting, identification of targeted interventions, and pre/post data collection. Team members discuss individual students with needs in academic and social-emotional development. The Support Study Team reviews prior interventions, accommodations, and modifications and recommends further supports as needed. If the Support Study Team determines that an assessment is appropriate, the Special Education Coordinator requests parent consent for the assessment plan.

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

2. ENGLISH LEARNERS

ENGLISH LEARNERS

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

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

- How English Learners' needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How 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 EL program assessment. Upon request, Charter School shall provide a copy of its current EL Master Plan to the CSD.

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

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

Charter School shall ensure that it will 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.

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

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

a. Process for Identifying ELs

New Heights serves its EL students in accordance with all applicable state and Federal laws and regulations. A home language survey (HLS) is distributed to every parent as part of the enrollment process. The purpose of the HLS is to identify students who come from homes where a language other than English is spoken. The survey is equitable, comprehensive, and not based on prior assumptions. A student who lists a language other than English on any of the questions of the HLS will be identified as an English Learner initially, until their actual language proficiency is determined through the CELDT. Students whose primary language is not English will be assessed using the California English Language Development Test (CELDT) or the Alternate Language Proficiency Instrument for Students with Significant Disabilities (ALPI) assessment aligned to the CA ELD Standards if he or she has not previously been identified as an English learner by a California public school or if there is no record of prior CELDT/ALPI test results. CELDT/ALPI assessment will take place within 30 days of the start of the school year or within two weeks after the date of first enrollment at the school.

The English language proficiency of all currently enrolled English Learners is assessed in accordance with the test contractor's directions and California Education Code guidelines. Students with disabilities are permitted to take the test with the accommodations listed in the Education Code if they are specified in the student's IEP or Section 504 plan. An alternate assessment for English language proficiency is

administered to students who are unable to participate in the CELDT/ALPI test, according to the guidelines set forth in the student's IEP. New Heights notifies parents of the school's responsibility to conduct CELDT/ALPI testing and will inform parents of CELDT/ALPI testing results within 30 calendar days following receipt of test results from the test contractor.

Students are currently monitored in conjunction with the California English Language Development Standards levels described below:

1. **ELD 1: Beginning:** The student will respond in English using gestures, simple words and phrases to demonstrate understanding while working with familiar situations and texts.
2. **ELD 2: Early Intermediate:** The student will respond in English using expanded vocabulary in phrases and simple sentences to demonstrate understanding of story details and basic situations with increasing independence.
3. **ELD 3: Intermediate:** The student will respond in English using expanded vocabulary and descriptive words for social and academic purposes with increased complexity and independence but with some inconsistencies.
4. **ELD 4: Early Advanced:** The student will respond in English using complex vocabulary with greater accuracy; the student will also demonstrate detailed understanding of social and academic language and concepts with increased independence.
5. **ELD 5: Advanced:** The student is required to respond in English using extended vocabulary in social and academic discourse to negotiate meaning and apply knowledge across the content areas.

Parents are notified of their child's CELDT/ALPI scores each year, as well as when a student is being considered for Reclassification and again when the student is officially reclassified.

b. Educational Program for English Language Acquisition

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

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

Resources available during small group ELD instruction include:

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

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

c. How The Program Will Meet The New State ELD Standards And Use The Results Of The CELDT/ALPI

The New Heights programs to support English Learners are based on the new California ELD Standards. Because the current California English Language Development Test (CELDT) is aligned to the 1999 ELD Standards, the CELDT program will be replaced by the proposed English Language Proficiency Assessments for California (ALPI) system, which will be aligned to the 2012 revised CA ELD Standards. Until the ALPI system is fully operational, New Heights will continue to administer the CELDT as the state's measure of ELP and for federal accountability under Title III of the Elementary and Secondary Education Act (ESEA).

EL instruction at New Heights will be grounded in the best available research on supporting ELs in an English Immersion environment and guided by the CA ELD Standards. Students will be expected to advance at least 1 ELD level, or the equivalent ALPI Proficiency Level Descriptor, annually as measured by the CELDT/ALPI. Additionally, teachers of ELs will assess student progress towards attainment of the standards using a standards-based guide, for example, EL folders.

New Heights will ensure that teachers are qualified and supported to meet the needs of ELs. We recruit teachers that hold either a BCLAD or CLAD credential and will use their multicultural training to provide strong instruction within a structured immersion classroom. We also support teachers by providing professional development on structured immersion instruction, specially designed academic instruction in English (SDAIE) teaching strategies, language development, monitoring, and assessment of ELs. We commit to regular professional development specifically addressing the instructional effectiveness, reviewing assessment data and revising curriculum to meet our EL students' needs.

Parents will be notified regarding their child's English Language Development along with CELDT/ALPI scores every progress report or every trimester and/or as often as needed.

d. Services And Supports For English Learners, Including Instructional Strategies And Intervention

See section (b) above. All students are grouped in mainstream classrooms that implement ELD and SDAIE strategies. Teachers use modeling, graphic organizers and visuals to support students' recognition of essential information in all academic subjects. Teachers are mindful of the stages of language acquisition and differentiate instruction within the classroom to meet the needs of each student. Students at the beginning and early intermediate stages of language acquisition are still learning how to read, write, listen and speak in Academic English, and will benefit most from ELD strategies. Students at the Intermediate level are taught using Academic English skills in reading, writing, listening and speaking to learn content and will benefit most from SDAIE strategies.

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

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

- 1) High interest leveled books organized in classroom libraries are used daily to encourage readers,
- 2) Daily oral language development through Morning Meeting and/or partnership talk
- 3) Systematic Instruction in Phonics, Phonemic Awareness, and Sight Words (SIPPS, Grades K-3 and SIPPS Plus, grades 4-8),
- 4) Read aloud approaches to build academic vocabulary and oral comprehension,
- 5) *Brain Pop* or other multi-media support (video/visual support for content learning),
- 6) *Words Their Way* (grades K-8) or other word study approaches to build students' knowledge of words, and
- 7) ST Math, a visual approach to mathematics concepts, (grades K-5) or other online math program to provide technology-infused support for math.

In addition, extra language support is given in small group intervention groups during the school day, before school, and after school. The small groups receive support through language-based computer programs for EL students who struggle academically, including such programs as:

- 1) Fast ForWord, a web-based reading program,
- 2) A-Z Books, trade books for students with computer enhancements to support vocabulary comprehension,
- 3) IXL Math or Kahn Academy for upper grades
- 4) MobyMax
- 5) Zearn, and
- 6) Fastt Math.

Students participate in a daily balanced literacy approach taught by self-contained teachers with CLAD or BCLAD certification.

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

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

In order to document progress, all teachers receive an ELD folder for each of their EL students that is used to monitor individual progress at their targeted ELD level. These folders include the ELD standards by level (Beginning, Early Intermediate, Intermediate, Early Advanced, and Advanced). Teachers use these folders to collect student work samples, document Reading Levels, and check of mastery towards ELD and ELA standards. Portfolios are submitted for review at least twice a year. In addition to ELD folders, data documenting students ELL status, parental notifications to date, academic progress to date, and final reclassification decisions is also kept in students' cumulative files along with CELDT/ALPI scores. Teachers review this master folder for each EL student early in the fall semester in order to provide teachers with most accurate reflection of their student's progress to date. The goal is for each student to progress by at least one level per year on the CELDT/ALPI until the EL student is reclassified.

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

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

f. Process And Specific Criteria For Reclassification

Students scoring Early Advanced (4) or Advanced (5) on the CELDT/ALPI are considered for possible reclassification. In order to be considered, a student must obtain an overall score of Early Advanced or Advanced. If a student scores below Intermediate on any subtest (Listening, Speaking, Reading, Writing), he/she will no longer be considered for reclassification despite an overall score of Early Advanced or Advanced. Teachers submit ELD folders and work samples for each student that was administered the CELDT regardless of score.

Annual Review of Student Progress begins mid spring, after CELDT/ALPI scores become available and just after the second submission of ELD folders and work samples. All student ELD folders will be initially reviewed by the ELL support person. If the EL standards check off sheet and work samples indicate Average Progress or Advanced Progress for the student's identified ELD level and CELDT scores also meet the requirements listed above, the student will move forward on to the second step of the Reclassification process.

The reclassification team (which includes the teacher, the Executive Director and/or ELD Teaching Partner, and may include a parent) reviews the information listed above as well as teacher recommendations and overall successful classroom performance in academic areas as indicated by

report cards, and benchmark/summative assessment type tests. The reclassification team also discusses if the student has met sufficient goals.

If a student satisfied all of these requirements they will then be recommended for reclassification pending the release of CAASPP scores for that year. If a student scores Met Standards or above on the ELA test, he/she will be officially reclassified, and their file would be updated to reflect R-FEP in that academic year. A student will continue to be monitored by the reclassification team for two years after official reclassification.

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

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

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

h. Process for monitoring progress and supports for Long Term English Learners (LTELs)

The school will monitor student performance of both students currently classified as ELs, including LTELs, and those who are reclassified English Proficient. Working with our ELD Teaching Partner to identify the reasons why a student has not acquired English at an expected rate, we will determine the best support system for that student moving forward. LTELs will receive dedicated ELD instruction during the day through small group instruction led by the teacher, teaching partner or resource teacher and the student will be placed on an online support program, such as Rosetta Stone, in order to develop specific academic vocabulary and language structures. In addition, students are recommended for afterschool and before school interventions and supports in like structures, either small groups taught by teaching partners or resource teachers or online programs. New Heights will make students and their parents/guardians aware of their LTEL status, the characteristics of LTEL students, and the risks associated with LTEL status, as well as benefits to reclassification and ways to address to reclassification.

3. GIFTED AND TALENTED STUDENTS AND STUDENTS ACHIEVING ABOVE GRADE LEVEL

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

Using units of study, students are introduced and given access to the core tasks of each discipline, to "big ideas" that require serious thought, and to performance tasks that require understanding. New

Heights focuses on differentiation within the classroom to meet the needs of all learners. Teachers consistently analyze student data and performance to inform their instructional focus and promote appropriate opportunities for individualization. Teachers use this information to create learning activities that target the needs of all students, including students achieving above grade level. Advanced students benefit from:

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

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

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

4. STUDENTS ACHIEVING BELOW GRADE LEVEL

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

Identification of Students Achieving Below Grade Level

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

Collection and Analysis of Diagnostic Data

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

Support Options for Students

- Small group instruction is used to support all critical skill development, such as reading fluency and numeracy.
 - Students may work in small groups inside the classroom with the classroom teacher.
 - Students may work in small groups inside the classroom with a Teaching Partner.

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

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

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

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

5. SOCIO-ECONOMICALLY DISADVANTAGED/LOW-INCOME STUDENTS

New Heights was designed to meet the needs of low income students – currently 98% of our students qualify for free or reduced price lunch. Everything the school does is to support students who don't have the advantages of middle/upper income families. In particular, New Heights utilizes small class sizes and capitalizes on the benefits of being a small school to ensure close relationships between every student and at least one adult. All staff and faculty are trained to recognize the signs of extreme poverty; the Student and Family Support Coordinator and Executive Director are available to help support students and their families with referrals to community service agencies and other supports.

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

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

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

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

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

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

6. STUDENTS WITH DISABILITIES

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 schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

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

SELPA Reorganization

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a) and intends to continue operating as a single-District SELPA as in the current structure but has created two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year 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 but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools may apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs.

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

- **Statewide Assessment Data (Including Charter Schools)**

The usual file including District ID.

- **Norm day**

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

- **CBEDS (Including Charter Schools)**

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

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

- **Dropout (Including Charter Schools)**

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

- **Monthly SESAC and Suspension data (Including Charter Schools)**

- **Graduation roster from all LAUSD schools (Including Charter Schools) with 12th grade SWD**

The MCD requires charter schools to implement the District's integrated student information system which is 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 in compliance with the requirements of the MCD and applicable timelines and upon the release of Milestone 8 which includes the final set of functionalities required to comply with the MCD. Upon charter school full utilization of MiSiS, the list of required data above will automatically be captured within MiSiS.

7. STUDENTS IN OTHER SUBGROUPS

As noted, New Heights is designed to provide a high quality education to some of South Los Angeles' most under-served students, including those who may be in foster care, homeless or experiencing housing instability, or have other special needs. The Student and Family Support Team works with students who have significant needs by offering counseling as needed, and support for families include referrals to outside agencies for services and support.

I. A TYPICAL DAY

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

Students then engage in balanced literacy or math instruction. During workshop times, in reading or writing, teachers teach a 10-15 minute mini-lesson highlighting a strategy needed for competence in the genre being studied in the current unit. The mini-lesson is followed by independent reading/writing – students find a place in the room to work on their writing or read of book of their choosing (one their independent reading level). During this time, teachers pull small groups of students for strategy or guided reading groups or one-on-one conferences.


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

Students have 15 minutes for a morning break. This provides time for students to exercise, meet with teachers, and have breakfast, if they missed breakfast in the morning. Students engage in physical education each day, except for Tuesday, to support their overall healthy development.

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

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

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



ELEMENT 2 – MEASURABLE PUPIL OUTCOMES AND ELEMENT 3 – METHOD BY WHICH PUPIL PROGRESS TOWARD OUTCOMES WILL BE MEASURED

“The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all 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 (Local Control Funding Formula) and AB 484, as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

STANDARDIZED TESTING

Charter School agrees to comply with and adhere to state requirements for participation and administration of all state-mandated tests, including computer-based assessments. Charter School shall submit and maintain up-to-date and accurate 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.

A. MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM

Please see Element 1, Section 10, *The Requirements Of California Education Code § 47605(B)(5)(A)(ii)*.

B. MEASURABLE PUPIL OUTCOMES: SUMMATIVE ASSESSMENT PERFORMANCE TARGETS

Please see Element 1, Section 10, *The Requirements Of California Education Code § 47605(B)(5)(A)(ii)*.

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

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

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

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

For the LCAP (since there was no state data), New Heights reported data from Irene Fountas and Gay Su Pinnell's systematic reading benchmark assessment system to show growth in reading. The system is currently used schoolwide to support teachers to identify students' instructional and independent reading levels and match them to thousands of "just right reading level" books in libraries in classrooms throughout the school. This system also allows for small-group reading instruction to occur at the appropriate reading level such that targeted needs are addressed. With this system, teachers are able to document student progress across a school year and across grade levels to inform programmatic decisions and curriculum design.

New Heights used Illuminate's online data system to track progress in math for the LCAP. Teachers refined the interim online math tests already developed on the data system and analyzed data using a variety of reports on student achievement including disaggregated data by content strand, student subgroup, grade level, and classroom. The staff were trained to use the system and interpret data with the support of the Illuminate staff, the school's Technology Coordinator and the Executive Director. The data analysis is tied to professional development on standards-based instruction so that teachers can enhance their understanding of student performance and modify instruction accordingly.

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

and groups of students in every classroom in order to ensure that all students make satisfactory progress toward the mastery of goals.

NEW HEIGHTS CHARTER SCHOOL ASSESSMENT CHART

	Diagnostic	Checks for understanding	Observation and Dialogue	Quizzes and Tests	Academic Prompts/ Student Work	Performance Tasks
SIPPS: Phonics, phonemic awareness, sight words	Test of Basic Phonics	Daily Spelling Tests	Observation during choral reading	Mastery Tests		Fluent Reading
Interactive Read Aloud: Reading Comprehension		Class Discussion after read aloud	Observation during Think, Pair, Share and Write, Pair, Share			
Fountas and Pinnell: Reading Fluency and Comprehension	August/ September: determine reading level			Reading Levels tests are given throughout the year: October, January, March, and May		
Writing	On Demand: First week of school	Feedback on Writing Notebooks	Conferring		On Demand Writing at the beginning of each new genre and at the end of each unit in writing	Published Writing. Teacher-Designed or Interim Performance Tasks integrating reading and writing given after each genre study.
Science		Ongoing	Observation /Conferring with small groups	Multiple Choice/Short Answer Written Assessments		
Social Studies Alive! and History Alive!	Preview Assignment	Review of student notebooks	Observation during activities	Multiple Intelligence Assessments	Processing Assignment	Teacher-Designed Culminating

						Perf. Tasks
Interim and Summative Tests on Illuminate (or other Data System): ELA and Math				Item tests based on state standards given three times a year		
Attitudes/Habits						
CARES: cooperation, assertion, responsibility, empathy, and self-control			Morning Meeting observation			

D. DATA ANALYSIS AND REPORTING

New Heights currently utilizes the comprehensive and customizable student data system Illuminate, to store a variety of reports on student achievement, including school-wide and subgroup analyses. While the Director of Operations has primary responsibility for overseeing all student achievement data entry, analysis, reporting and reflection on data, all teachers receive intensive training on student achievement data and effective usage of the system from the Illuminate staff and the school's Technology Coordinator.

New Heights's teachers and Executive Director analyze student achievement data on a continuous basis in order to identify individual student needs, trends across groups of students or classes, and longitudinal growth over time. Grade levels have common planning time that they use to examine data at least twice a month. The Executive Director monitors the progress of all subgroups (particularly language learners and special education students), and patterns of academic achievement that may indicate declining progress or inequitable outcomes among different sub groups. Any problematic data trends are directly addressed through meetings with individual teachers, and through the examination of policies or curriculum that may be contributing to declining achievement or inequities.

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

Both internal and standardized test results will be utilized to inform teaching and learning. By disaggregating the standardized test data and looking at individual students' results, teachers and staff will be positioned to design units, lessons, and supports to increase student performance. On an annual basis, internal data will be compared to CAASPP and other state standardized test data to determine efficacy in predicting performance. New Heights also annually prepares and makes public its Student Accountability Report Card (SARC).

Teachers and parents collaboratively review individual student achievement data at least twice a year. At teacher-parent conferences, parents are able to review student progress, ask questions, provide input, and collaboratively agree on an action plan for students in need. Parents receive test reporting by mail, unless the school distributes the scores individually at the first back to school Family Night. The School Accountability Report Card (SARC) is available on the school website for review.

The school surveys students, parents, teachers and staff members on a variety of topics to provide feedback for planning and policy making.

E. GRADING, PROGRESS REPORTING AND PROMOTION/RETENTION

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

Students are given scores based on the following performance levels:

Performance Levels:

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

Student Retention Policy

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

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

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

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

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

ELEMENT 4 – GOVERNANCE

“The governance structure of the school, including, but not limited to, the process to be followed by the 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 policy as it relates to charter schools, as they may be amended from time to time.

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.

All employees and representatives of Charter School, including members of Charter School’s governing board, members of Charter School or governing board committees or councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD’s charter school policies, regarding ethics and conflicts of interest.

TITLE IX, SECTION 504, AND UNIFORM COMPLAINT PROCEDURES

Charter School shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and section 504 of

the Rehabilitation Act of 1973 ("Section 504"), including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Charter School shall notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action 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 inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School, including its nonprofit corporation, acknowledges that it is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current 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 charter, is received or discovered by the District, Charter School shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

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 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 receiving a 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 16. Charter School shall comply with the requirements of Education Code section 49060 et seq., 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.

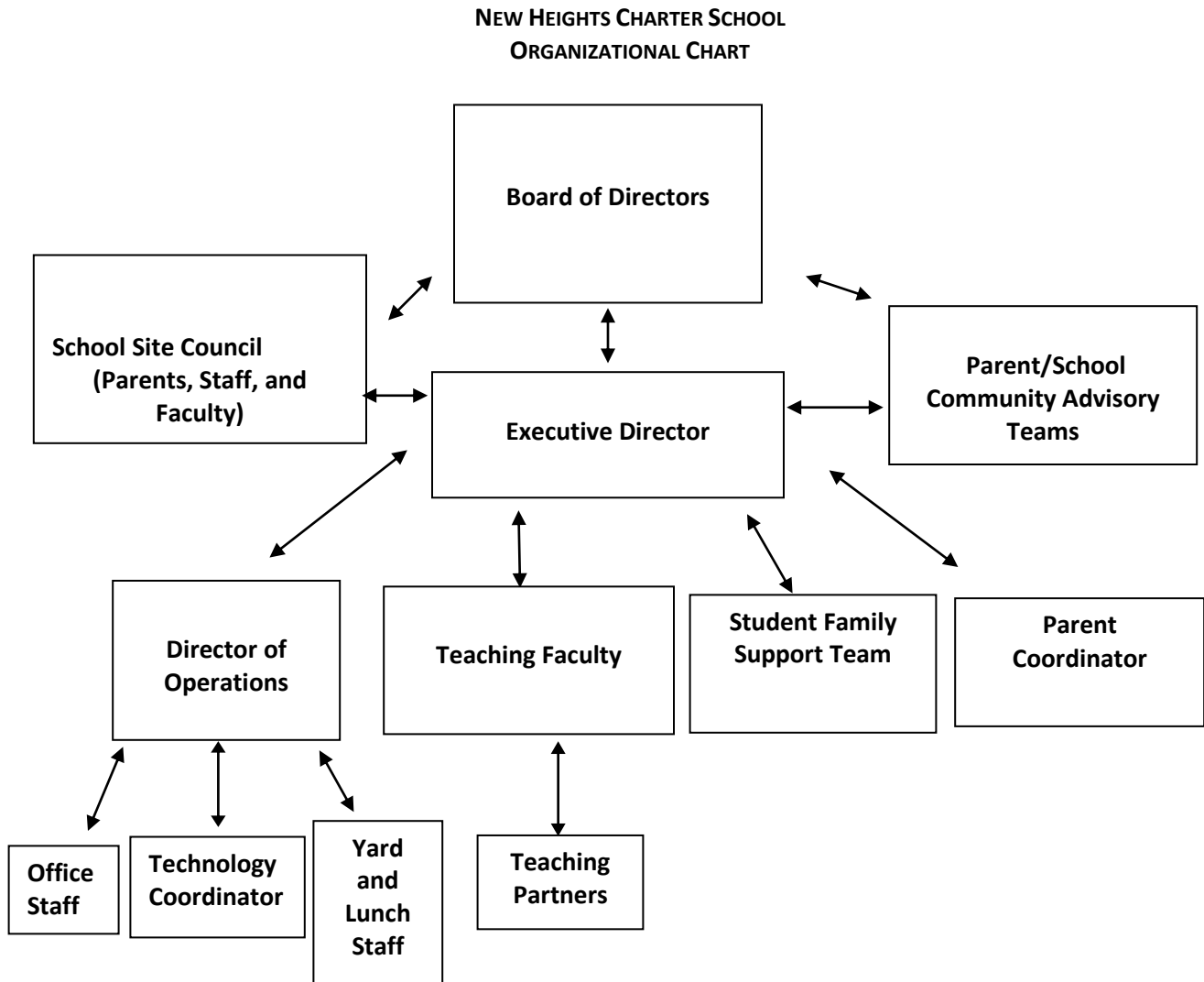
A. GOVERNANCE STRUCTURE

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

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

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

1. ORGANIZATIONAL CHART



2. MAJOR ROLES AND RESPONSIBILITIES

Board of Directors

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

- Hire, supervise, evaluate, discipline, and dismiss the Executive Director;
- Approve major contractual agreements in excess of \$5,000;
- Approve and monitor the implementation of general policies of the Charter School;
- Approve and monitor the Charter School's annual budget and budget revisions;
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the Charter School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the Charter School;
- The Board of Directors of the Charter School will contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;

- Establish operational committees as needed;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning;
- Approve the school calendar and schedule of Board meetings;
- Participate in the dispute resolution procedure and complaint procedures when necessary;
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the District for consideration;
- Approve annual independent fiscal audit and performance report, and
- Take action to accept or reject student expulsion decisions recommended by an impartial Expulsion Review Panel.

Executive Director

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

B. GOVERNING BOARD COMPOSITION AND MEMBER SELECTION

The Charter School is governed by the Board of Directors (“Board” or “Board of Directors”) in accordance with the Board’s adopted corporate bylaws, which shall be consistent with the terms of this charter.

The Board of Directors shall be composed of between three (3) and fifteen (15) members, as set by the Board at its annual meeting. Although not required, the Board will strive to create an odd number of Directors for voting purposes. Each director serves a renewable term of one, two, or three years. Current Board members include:

Peter Schoenfeld, J.D., Board President, has been continuously involved with the development and operation of charter schools in California since 2003. Before serving in education, Mr. Schoenfeld was President of Universal Studios New Media Group and responsible for developing and managing all television on-demand and interactive businesses for Universal Studios and CANAL+ outside Europe. Prior to the New Media Group, Mr. Schoenfeld was Executive Vice President and Group Strategic Director of Universal Studios Television & Networks Group, building television businesses worldwide and leading television strategy for Universal Studios. Mr. Schoenfeld earned his Juris Doctor at Columbia University School of Law (New York) in 1985 and his Bachelor of Science in Economics at The University of California, Los Angeles in 1982.

Helene Brown, MS, Chief Financial Officer, is the Director of Community Applications of Research of the Division of Cancer Control, UCLA Jonsson Comprehensive Cancer Center, a senior lecturer at UCLA School of Public Health, and one of the foremost spokesperson for cancer control and research nationwide. Ms. Brown has won the prestigious American Cancer Society Medal of Honor and the Scripps Cancer Institute Lifetime Achievement Award. She is a graduate of UCLA.

Kelli-Ann Agner, MS, Board Secretary, is currently the Field Work Coordinator at Mount Saint Mary’s University, School of Education where she helps to prepare K-12 teachers for urban settings. Ms. Agner worked previously as an elementary teacher and principal in Los Angeles.

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

Octavia L. Miles, MBA, retired from UCLA in the fall of 2013, after 19 years as a Project Director at the Jonsson Comprehensive Cancer Center, Division of Cancer Prevention and Control Research. Her entire career at UCLA was spent working with the late Dr. Antronette Yancey, on health disparities intervention research, promoting worksite wellness at county and community-based organizations by educating employees about health and encouraging the incorporation of physical activity and healthy eating in the workplace routine. Miss Miles began her career in the classroom as a high school teacher for 15 years in New York and Chicago. She spent the next 20 years in corporate America, with Mattel Toys, Gallo Winery, and Heinz Foods, as Vice President of product development. Miss Miles completed her undergraduate degree in English and History from the University of Michigan, a Masters Degree in History from the University of Chicago and a Masters in Business Administration and Marketing and Management from the Anderson School of Business at the University of California, Los Angeles. Miss Miles has been deeply involved in many aspects of the contemporary struggle for social justice, including the civil rights movement.

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

The District reserves the right to appoint a single representative to the Charter School governing board pursuant to Education Code section 47604(b). If the District chooses to do so, the Charter School may choose to appoint an additional member to ensure that the Board is maintained with an odd number of directors.

As indicated in applicable governance documents, New Heights Charter School will comply with conflict of interest laws related to public entities including Govt. Code 1090 and Political Reform Act.

C. GOVERNANCE PROCEDURES AND OPERATIONS

Regular meetings of the Board of Directors, including annual meetings, shall be held no fewer than five meetings each year in accordance with the Brown Act. Additional meetings may be called as necessary and will comply with all of the provisions of the Brown Act. All meetings of the Board of Directors and Board committees shall be called, noticed, and held in compliance with the provisions of the Ralph M. Brown Act ("Brown Act"), Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the California Government Code). All Board and Board committee meetings shall be held within the

boundaries of LAUSD, typically at the Charter School site, with telephonic participation available within the requirements of the Brown Act. At an annual meeting, the Board sets the calendar for upcoming Board meetings for the year and publishes the schedule on its Charter Schools' website. Agendas for regular meetings will be published in advance and distributed to each member of the Board of Directors and will be physically posted at the Charter School site and posted on the New Heights website for public viewing at least 72 hours in advance of regular meetings. Agendas for special meetings will be posted in the same manner at least 24 hours before the meeting. Minutes of each meeting will be kept in the Board Binder located in the corporate records in the Charter School Upper Campus Office and available for review by the public.

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

Board Operational Calendar: Key Items

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

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

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 charter schools are established.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members

A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be majority vote based upon the presence of a quorum. Should there be fewer than a majority of the directors present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy.

Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a. At a minimum, a quorum of the members of the Board of Directors, shall participate in the teleconference meeting from locations within the boundaries of the school district in which the Charter School operates;
- b. All votes taken during a teleconference meeting shall be by roll call;
- c. If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- d. All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and it shall be listed on the agenda;
- e. Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location, and;
- f. The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

D. STAKEHOLDER INVOLVEMENT

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

to help the school plan, implement and evaluate the Single School Plan which includes all facets of the education program.

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

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

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

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

COMMUNICATION: At New Heights there is regular, ongoing communication between home and the school. To help keep parents stay informed of all meetings and events, the Charter School creates and shares a monthly calendar, in addition to the yearly calendar shared with parents at the beginning of each school year. News of school events and highlights of school activities are featured in the school's Update Newsletter, on the school website, on flyers sent home with students, and on posters on both school campuses. The newsletter may include a section to acknowledge parent contributions or parent education feature articles.

In addition to formal conferences and progress reports, parents are kept informed of their child's progress through regular classroom and school communications. Teachers communicate with parents on a regular basis through conversations during drop-off and pick-up, texts, voicemail, email (with a limited number of parents), and "office hours" each day after school, except Tuesday and every other Thursday (when teachers attend the Faculty Meeting.)

Prior to the first day of school, parents/guardians are invited to attend a one-on-one session with school staff to review and discuss the school's policies and philosophy, including the School Community Handbook and the Parent Involvement Policy. The school provides translation services at school events and provides translated written materials in the child's home language.

VOLUNTEERING: Parents/guardians are encouraged – not required – to volunteer time annually to attend scheduled parent meetings and events including:

- Schoolwide Parent Meetings: Summer Orientation and Back to School Night
- Parent/teacher/student Conferences twice a year
- Learning Celebrations of Student Work (at least once a year)

- Family Nights (for reading, math, social studies, and science)
- Bi-Monthly Morning Tea with the Executive Director
- Special Family Events to honor Mother's Day, Father's Day, and Grandparents.

The Charter School communicates its policy regarding volunteering to parents/guardians in several ways: through the annual individual appointments parents have to review all school policies, the website, at the Parent Teas, and in the School Community Handbook. Parent volunteering is not a condition of admission, enrollment, or continued enrollment.

In addition, parents volunteer their time in the following ways:

- Volunteering in the classroom
- Volunteering to support the school office staff
- Providing Spanish translation
- Attending student field trips
- Volunteering during the Before School Program and breakfast
- Volunteering at lunch and recess
- Participating in the sports recreation program organized by the school's Head Coach and parents.

When parents arrive at New Heights to volunteer, they sign-in at the office before they go to the classrooms and wear a visitor badge. Parents who volunteer regularly are asked to have a current TB test on file at the school. Parents are not with students without the presence of a staff member who has been cleared through a background check. If parents were to be left with students without supervision, they would need to have prior background clearance.

PARENT EDUCATION: Families at New Heights are encouraged to participate in a variety of education programs aimed at deepening their understanding the school's purpose and supporting their child's healthy development. Participation is not a condition of admission, enrollment, and/or continued enrollment and there is no cost to participate. Over the years, New Heights has offered the following education programs for parents/guardians and participation is encouraged through flyers sent home, posters, and calls:

- Workshop Series on Healthy Eating and Nutrition
- Workshop Series on Family Health and Disease Prevention
- Workshop Series on learning how to use a computer
- Workshop Series on Healthy Lifestyle and Exercise
- English Instruction (twice a week) for Parents
- Child Development Class (organized by the school's social work interns)
- Summer Morning Exercise Class for Parents (held three times a week during Summer School)
- Workshops on Common Core Standards
- Workshops on social / emotional support for teen-agers and pre-teens

ELEMENT 5 – EMPLOYEE QUALIFICATIONS

“The qualifications to be met by individuals to be employed by the 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 recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

ESEA/NCLB AND CREDENTIALING REQUIREMENTS

Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(I). Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

A. EMPLOYEE POSITIONS AND QUALIFICATIONS

Executive Director

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

The Executive Director has the following responsibilities:

- **Leadership:** Oversee the implementation of the educational vision of the Charter School and long range planning.
- **Personnel:** Responsible for recruiting, hiring, evaluating, disciplining and (as needed) firing all other employees according to the mission, philosophy, and obligations of the school as spelled out in the charter.
- **Administrative Oversight.** Responsible for ensuring Charter School’s compliance with all state and federal charter regulations and other applicable laws and regulations.
- **Governance:** Provide oversight of school committees, liaison with Board of Directors.
- **Policy:** Contribute to policy development and lead implementation related to all school procedures.
- **Teacher and staff professional development.** Lead schoolwide professional development efforts, working to identify and support expert coaches in multiple content areas to provide high quality training, coaching, and support for all teachers and staff.
- **Finance.** Prepare annual budgets for presentation to the Board working with the school’s back office support team. Establish, review, and enforce financial and accounting policy. Develop and

monitor budgets to ensure that all expenditure of funds meet all state, federal, local, and granting guidelines. Provide information required for the annual audit and ensure compliance with all reporting entities, including an array of foundation and government funders.

- **Outreach and enrollment** of students and families.
- Create a **school culture** that supports learning.
- Support **parent engagement** and develop **community partnerships**.
- **Fundraising**: Writing grants, facilitating fundraising, and monitoring grants.
- Maintain regular communications with the school's financial back office support organization.
- **Report** to the Board of Directors on school progress in educational achievement.
- **Facilitate communication** between all stakeholders.
- **Public Relations**: California Department of Education, LAUSD, Board of Directors, Parents, and Community.
- **Facilities oversight**.
- **Management**. Manage and oversee all day-to-day operations of the school. Supervise all administrative and education personnel. Increase effectiveness of staff by recognizing opportunities for development and proactively creating new systems and processes.

Qualifications: BA. Master's Degree preferred in related field. Significant experience in school reform, and/or school improvement. Experience with grant writing, managing people, designing professional development, and initiating and managing projects.

Classroom Teacher

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

Active Learner

- Engage in school planning and professional development activities before the school year and during the school year.
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the standards.
- Design, plan, and implement effective units of study (based on the *Understanding by Design* framework).

Effective Communicator/Community-Builder/Collaborator

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

Assessor of Student Understanding

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

Contributor to Schoolwide Mission

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

Qualifications: Teachers shall be “highly qualified” based on NCLB criteria. Teachers will have CA multi-subject credential with CLAD (BLAD preferred), proficiency as a writer, and strong communication skills.

Teaching Partner (one per grade level)

Teaching Partners co-teach with two different teachers at one grade level for approximately 5 hours each day, participate fully in all of New Heights Charter School’s professional development activities. The job is designed for someone who wants to refine their teaching craft in a collaborative community of learners. These individuals learn how to plan, teach, assess, and differentiate instruction in partnership with a talented, progressive, and caring group of educators. As a Teaching Partners are asked to take-on the following roles:

Active Learner

- Engage in school planning and professional development activities before the school year and during the school year.
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the Common Core standards.
- Co-Design, co-plan, and co-implement at least one effective, Readers Workshop or Writers Workshop unit of study (based on the *Understanding by Design* framework).
- Co-Design, co-plan, and co-implement at least one effective, Social Studies or Science unit of study that is integrated with Reading and/or Writing (based on the *Understanding by Design* framework).

Effective Communicator/Community-Builder/Collaborator

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

Assessor of Student Understanding

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

Contributor to Schoolwide Mission

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

Qualifications: Two years of college or equivalent subject matter competence. BA/BS and CA Teaching Credential preferred. Experience working with students or teachers in support of learning.

Director of Operations

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

OFFICE SYSTEMS

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

COMMUNICATION

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

COLLECTION / MAINTENANCE OF DATA FOR CONTINUOUS IMPROVEMENT

- Distribution and analysis of school community surveys
- Oversee all student achievement data systems
- Manage student data on student information systems software, including Powerschool, CALPADS, and Illuminate.

STAFF SUPPORT

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

Qualifications: High School Diploma. Two-four years of college preferred. Experience working in an office setting. Computer knowledge and expertise in Word, PowerPoint, and Excel. Ability to learn new data systems as needed. Bilingual Spanish preferred.

Student and Family Support Coordinator

The person in charge of Student and Family Support works on the school's leadership team to support social/emotional development for all students and takes on the following roles:

Active Learner and Facilitator

- Engage in training and research to learn how to support students in our school.
- Develop deep understanding of the school's approach to social, emotional, and academic

development.

- Work one-on-one with students with social/emotional needs, work with small groups, and support teachers in whole class settings with behavioral issues.
- Work with teachers to develop behavior plans/modifications for students in need.

Effective Communicator/Community-Builder/Collaborator

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

Data Gatherer

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

Contributor to Schoolwide Mission

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

Qualifications: Two-four years of college. BA and Masters in related field preferred. Experience supporting students to develop social-emotional skills. Experience in conflict-resolution.

Language Development Teaching Partner

The Language Development Teaching Partner will work with English Language Learners and low performing students in small groups and one-on-one to support their language development. In addition, the Language Development Teaching Partner will also analyze student literacy data, tracking progress to identify student needs and set goals, and support the administration of the school's language tests.

Active Learner

- Engage in school planning and professional development activities before the school year and during the school year.
- Develop deep understanding of the concepts, skills, and knowledge expected of students in the ELD Standards, the Common Core standards, and the ELA/ELA Framework.

Effective Communicator/Community-Builder/Collaborator

- Actively maintain respectful, open communication with students, parents, teachers, and other staff members.
- Collaborate with classroom teachers to better understand the needs of students.
- Work collaboratively with teachers and staff to improve teaching practice on an ongoing basis.

Assessor of Student Understanding

- Building on available assessment data, design small group supports to meet students' needs.

- Assess progress of students based on ELD standards.

Contributor to Schoolwide Mission

- Actively participate in growing an exemplary urban charter school, sharing responsibilities with peers and administrators and attending meetings.

Qualifications: BA/BS degree. CA Teaching Credential preferred. Experience working with students or teachers in support of learning.

Resource Teachers for Students with Special Needs

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

Co-Teacher with General Education

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

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

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

- Effectively utilize school's administrative team for support with identifying newly enrolled students in the Welligent system, gathering IEP documents from newly enrolled students, calling parents for initial 30-day IEP meetings, scheduling parents and the IEP team for annual and three-year IEP meetings.

Parent Liaison

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

Full Participant in the New Heights Professional Learning Community

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

Qualifications: BA or BS. Intern or full Special Education Credential. Spanish language skills preferred. Experience working with students and families.

Office Staff

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

Student Attendance

- Track attendance on the school's database and create weekly lists of students with multiple attendance issues per the school's policy.
- Call home regarding student absences and tardies
- Create monthly attendance reports, send to back office organization, verify that attendance reports are correct and send to the CA Department of Education

Student Support

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

- Support students' social and emotional needs as needed.

Student Admissions

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

Parent/Community Support

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

Staff Support

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

Office/Technical Support

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

Qualifications: High School Diploma. Two-four years of college preferred. Experience working in an office setting. Computer knowledge and expertise in Word, PowerPoint, and Excel. Ability to learn new data systems as needed. Bilingual Spanish preferred.

Parent Coordinator

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

Active Learner and Facilitator

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

Effective Communicator/Community-Builder/Collaborator

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

Data Gatherer

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

Contributor to Schoolwide Mission

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

Qualifications: Two-four years of college. BA and Masters in related field preferred. Experience supporting students and their families. Knowledge of the community. Computer knowledge and expertise in Word, PowerPoint, and Excel. Ability to learn new data systems as needed.

Technology Coordinator

The Technology Coordinator is responsible for assisting teachers in integrating technology in the classroom to improve student achievement as well as supporting staff to use technology for the benefit of the school's operations.

DUTIES AND RESPONSIBILITIES

- Coordinates and/or provides training to all school staff in network and software use. Coordinates activities of outside vendors, consultants and trainers.
- Facilitates the use of existing and emerging technology by staff and students.
- Coordinates the maintenance, operation and management of existing school networks.

- Assists with the planning, design and installation of future network expansions as growth demands.
- Performs all functions and procedures necessary to install and maintain school network hardware and software.
- Configures local workstations as needed.
- Develops and maintains network procedures to ensure regular system backups on a timely basis.
- Maintains software library and necessary documentation to include, but not to be limited to, software license management, network wiring, hardware and software.
- Maintains inventory of hardware and related peripherals.
- Follows troubleshooting procedures for hardware and software. Maintains hardware and arranges for timely repair. Maintains repair history and file server performance statistics.
- Establishes and/or maintains network security.

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

Yard/Lunch Monitor

Yard and lunch monitors are responsible to maintaining student health and safety during their time in the yard and at lunch. Monitors are also responsible for maintaining a caring and responsive atmosphere during students' more unstructured and social times of the day.

Student Support

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

Data Systems

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

Collaboration with Teachers and other Staff

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

Qualifications: High School Degree. Two years of college preferred. Experience supporting students and their families. Knowledge of the community. Computer knowledge and expertise in email and Word. Ability to learn new data systems as needed.

Day-to-Day Substitutes

The Charter School utilizes qualified substitutes from our own substitute pool or the services of an outside provider. Substitutes preferably have a CA Multiple Subject Credential or they possess an Emergency 30-day Substitute Teaching Permit. The Charter School will ensure that substitutes have submitted fingerprints for background investigation, have taken a TB test, and are cleared for employment.

ELEMENT 6 – HEALTH AND SAFETY PROCEDURES

“The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.” (Ed. Code § 47605(b)(5)(F).)

HEALTH, SAFETY AND EMERGENCY PLAN

Charter School shall have a comprehensive site-specific Health, Safety and Emergency Plan, including but not limited to the acquisition and maintenance of adequate onsite emergency supplies, in place prior to beginning operation of Charter School each school year. 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 SB 1266 (2014). 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 Plan, and keep it readily available for use and review upon CSD request.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Charter School, including its employees and officers, 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.

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, in accordance with Education Code section 49406. Charter School shall maintain TB clearance records and certifications on file.

Charter School shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, 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.

A. CUSTODIAN OF RECORDS

In accordance with California Department of Justice requirements, the Director of Operations will serve as New Heights' Custodians of Records.

B. STUDENT HEALTH AND WELLNESS

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

New Heights has developed strong partnerships with community-based athletic facilities/organizations like the Expo Center and the Crenshaw YMCA. Through these partnerships, New Heights' students are encouraged to participate in competitive sports alongside their classmates.

New Heights is a proud member of the City of Los Angeles Parks and Recreation Leagues which allows us to field as many teams as we can. The upper school athletic program provides student athletes the opportunity to compete at high levels. Our athletic program seeks to teach sportsmanship, leadership and character as well as skills and strategy.

New Heights Charter School teams have won many honors including:

- Baseball / T-Ball Championships: 2012-14 T-Ball Division Championship Rancho Park, 2010 Rancho Park, 2011 Rancho Park, 2012 Exposition Center
- Soccer Girls' Championship: 2010 Exposition Center
- Flag Football Championship: 2010-11 Minor Division Exposition Center
- Basketball Championships: 2015 Crenshaw YMCA Pee-Wee Championship, 2014 Boys Charter Division Championship, 2013 Crenshaw YMCA (Major) Basketball Championship, 2011 Girls Exposition Center, 2010-13 and 2015 Pee-Wee Division Crenshaw YMCA, 2010, 11, 12 Major Division Crenshaw YMCA, 2011 Boys Minor Division Exposition Center, and 2011 and 12 Boys Major Division Exposition Center
- Volleyball: 2013-2015 Expo Center Girls Volleyball, Semi-Finalists

In addition to competitive sports, students at the TK/K -2nd grade level children have the opportunity to participate in the dynamic Imagination Playground, a playground with lots of loose parts for children to create their own play spaces, allowing students the freedom to engage in creative, free play in a safe environment. Through a grant from the KaBoom Foundation, students work on their design skills, physical coordination, initial understanding of physics, and teamwork.

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

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 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. Instead, the District now receives 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.

FEDERAL PROGRAM COMPLIANCE

As a recipient of federal funds, including federal Title I, Part A funds, Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) and other applicable federal grant programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, qualifications and credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

- Notify all parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher
- Notify each individual parent, in a timely manner, if and when the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified

- Develop jointly with, and distribute to, parents of participating children, a school-parent compact
- Hold an annual Title I meeting for parents of participating Title I students
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy
- Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds
- Complete and submit Local Education Agency (LEA) Plan to CDE
- Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I Schoolwide Program eligibility and status, if applicable; otherwise, identify and maintain roster of eligible students for the Title I Targeted Assistance School Program
- Maintain inventory of equipment purchased with categorical funds, where applicable
- Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable
- Participate in any applicable federal program monitoring conducted by the California Department of Education
- Conduct an annual evaluation of the effectiveness of funds allocated through the Consolidated Application

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.

New Heights current demographics – 98% FRPL, 75% Hispanic/Latino and 25% African American – exceed District expectations for diversity. As a school that is well-known and well-regarded in the community, our outreach relies primarily on the families we serve as school ambassadors. We provide detailed information about our school on our website.

In addition, we conduct active recruiting of new students in the following ways:

1. Information Sessions held at New Heights for interested families.
2. Outreach to local preschools and Headstart Centers in the area including, those run by the Children's Institute, Pace Headstart, USC, Urban League, and the Mexican American Opportunity Foundation. Outreach is conducted by attending preschool parent meetings, distributing flyers, and directing parents to the school's website through the school's banners or materials. Materials are provided in Spanish (or other languages as needed.)
3. Flyers sent home with parents and students in both English and Spanish.
4. Posters / banners on both school campuses with both English and Spanish.
5. Posting of enrollment information on the Charter School's website in both English and Spanish.

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 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 provisions of Education Code sections 48850 – 48859.

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, 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.

A. ADMISSION REQUIREMENTS

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

B. LOTTERY PREFERENCES AND PROCEDURES

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

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

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

1. Siblings of students who are enrolled in the Charter School who reside in LAUSD District.
2. Residents of LAUSD District.
3. Siblings of students who reside outside LAUSD District.

Applications will be weighted for applicable admissions preference.

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

Lottery Application Forms will be accepted during a publicly advertised open application period each year for enrollment in the following school year, usually starting February 1 – March 30. For a student to be eligible for enrollment the following school year, a Lottery Application Form (see Tab 5) must be completed and received at New Heights by the stated annual deadline (March 30) by 4:00 p.m.

The deadline is communicated during school visits, on the school website, on the flyers/brochures shared with local head start and preschools, on the school's bulletin boards, and/or building banners. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing approximately a week after the application deadline to determine enrollment for the impacted grade level. The lottery will be conducted at the Charter School and supervised by the Executive Director; all interested parties may observe, though parents will be informed that they do not need to be present at the lottery to secure a spot for their child. The names chosen through the lottery process are written on a Lottery Documentation Form in order. Waitlist procedures are included in the Waitlist Letters all waitlist students receive after the lottery is completed. The school will make every effort to schedule the lottery at a time convenient to interested parties. The lottery will be held at the end of a school day at 4:00 or 5:00 pm. Student names will be randomly drawn to fill the number of available spaces per grade level, with all additional names drawn to compile a wait list.

Within two weeks of the lottery, parents and/or legal guardians will be notified, in writing in a letter sent by an office staff member, as to whether the student has been offered enrollment or placed on a waiting list, along with their number on the waiting list. The random public lottery determines applicants' waitlist status. Those who apply after the lottery deadline are added to the end of the lottery waitlist in the order they are received. Vacancies that occur during the school year will be filled according to the wait list. When an offer occurs during the school year, families will be contacted by an office staff member in the order of the wait list and given a deadline to complete and return an

Enrollment Packet (see Tab 5) to accept a space at the Charter School. The phone message will be left in the families language used to complete the Lottery Application. In the event that no such wait list exists where the space is available, the space will be made available on a first come, first served basis to the next interested family at the appropriate grade level.

The enrollment packet must be completed by parents/guardians of all students, including those who reside in the former attendance boundary. The enrollment packets are completed after a student is admitted and preferably before the first day of school. The enrollment packet includes the following:

- Proof of Immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements, e.g. birth certificate
- Release of records

Those who apply after the lottery deadline are added to the end of the lottery waitlist in the order they are received. Vacancies that occur during the school year will be filled according to the wait list order determined during the lottery drawing. When an offer occurs during the school year, families will be contacted by an office staff member in the order of the wait list and will be given 48 hours to decide whether or not to accept a space at the school. In the event that no such wait list exists where the space is available, the space will be made available on a first come, first served basis to the next interested family at the appropriate grade level.

The waitlist for the current school year remains active until the end of the school year and does not “roll over”; applicants must reapply for the lottery annually if the school is unable to offer them admission for the current year. All applications materials are provided in English and Spanish.

ELEMENT 9 – ANNUAL FINANCIAL AUDITS

“The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” (Ed. Code § 47605(b)(5)(I).)

The annual audit shall be conducted in compliance with Education Code section 47605(b)(5)(I) as it is amended from time to time.

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD, each year:

- a. Provisional Budget – Spring prior to operating fiscal year
- b. Final Budget – July of the budget fiscal year
- c. First Interim Projections – November of operating fiscal year
- d. Second Interim Projections – February of operating fiscal year
- e. Unaudited Actuals – 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

A. ANNUAL AUDIT PROCEDURES

As required under Ed. Code § 47605 (b)(5)(I), each fiscal year an independent auditor conducts an audit of the financial affairs of New Heights to verify the accuracy of the Charter School’s financial statements, attendance and enrollment accounting practices, and internal controls.

- The New Heights Charter School Governing Board may appoint an Audit Committee of two or more persons by January 1 of each year or the full New Heights Board will be responsible for these duties. The Audit Committee may include persons who are not members of the New Heights Charter School Board, but may not include any members of the staff of the company chosen to conduct the audit, including the president or Executive Director or the treasurer or CFO. In addition, any person with expenditure authorization or recording responsibilities within the New Heights Charter School may not serve on the committee.
- The New Heights Charter School Board of Directors will be responsible for contracting with an audit firm from the State Controller’s list of approved auditors by March 1 of each year, unless the existing contract is a multi-year contract.
- The Chief Financial Officer, Executive Director, and back-office services provider work with the audit firm to provide the required information.

- At the conclusion of the audit, the Audit Committee will be responsible for reviewing the results of the annual audit, identifying any audit exceptions or deficiencies, and reporting them to the Board of Directors with recommendations on how to resolve them.
- The Governing Board will review and approve the audit no later than December 15.
- The Charter School Board of Directors will direct the Executive Director to address and resolve any deficiencies, findings, material weaknesses, and audit exceptions to ensure sound fiscal operations.
- The Board will submit a report to the District describing how the exceptions or deficiencies have been or will be resolved to the satisfaction of the District. The Executive Director will provide a final copy of the audit to LAUSD, LACOE and the CDE as required, by the December 15 annual deadline.

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, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, Charter School’s administrator will convene a Link Determination meeting to ask the following two questions:

- A. Was the misconduct caused by, or directly and substantially related to the student’s disability?
- B. Was the misconduct a direct result of the Charter School’s failure to implement 504?

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 504 Plan?

Notwithstanding the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student’s district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code 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.

A. DISCIPLINE FOUNDATION POLICY

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

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

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

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

New Heights Code of Conduct:

1. Be respectful to each other, all staff, community, and school property.
2. Follow directions the first time.
3. Participate thoughtfully in all school activities.
4. Think about and reflect on your behavior and listen for ideas that will help you.
5. Make healthy choices.
6. Try... and try again.

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

Logical Consequences (Respectful, Relevant, Realistic):

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

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

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

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

3. Take a Break/TAB

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

4. Buddy Teacher Procedure

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

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

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

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

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

Any student who engages in repeated violations, defined as three or more, of the school's behavioral expectations, or a single severe infraction (e.g., aggression with an intent to hurt, weapon possession, possession of illegal drugs or controlled substances), will be required to attend a meeting with the school's Executive Director (which meeting may also include members of the Student and Family Support Team, special education and general education teachers, or other relevant staff) and the student's parents. The school will prepare a specific, written agreement outlining future student conduct expectations, timelines, and consequences for failure to meet the expectations which may include, but are not limited to, suspension or expulsion.

New Heights Charter School is exempt from Education Code requirements and procedures related to student suspension and expulsion. Therefore, references in this charter to the Education Code are used as a guideline. A student may be suspended or expelled for any of the acts enumerated in Education Code § 48900 except for willful defiance, as related to school activity or school attendance that occurs at any time including, but not limited to:

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

B. CAUSE FOR SUSPENSION AND EXPULSION

The Executive Director bears primary responsibility for overseeing all student discipline and has the authority to suspend students.

Mandatory Expulsion/Suspension: It is a federal mandate that a school expel, for a period of not less than one year (except on a case-by-case basis), any student who is determined to have brought a firearm to school.

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

1. Possessing, selling, or furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.

4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possession of an explosive.

Note: Pursuant to E.C. Section 48915 (g), “knife” means any dirk, dagger, or other weapon with a fixed sharpened blade fitted primarily for stabbing; a weapon with a blade fitted primarily for stabbing; a weapon with a blade longer than 3½ inches; a folding knife with a blade that locks into place; or a razor with an unguarded blade.

Offenses Subject to Limited Executive Director Discretion. The Executive Director shall recommend a student’s expulsion if he or she determines that the student committed one or more of the following acts at school or at a school activity off school grounds unless the Executive Director also determines that expulsion is inappropriate:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of a knife or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance, except for either of the following:
 - a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
 - b. The possession of over-the-counter medication for use by the student for medical purposes or medication prescribed for the student by a physician.
4. Robbery or extortion.
5. Assault or battery upon any school employee. Note: A serious physical injury includes, but is not limited to: “loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, wound requiring extensive suturing, and serious disfigurement.” (California Penal Code Section 243)

Offenses Subject to Broad Executive Director Discretion. The Executive Director has maximum discretion to recommend or not recommend expulsion when he or she determines that a student has committed any of the following offenses at any time, including, but not limited to, while on school grounds; while going to or coming from school; during the lunch period whether on or off campus; and during, or while going to or coming from, a school-sponsored activity.

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except in self-defense.
3. Possessed not more than one ounce of marijuana (applicable to the first offense only) or possessed alcohol.
4. Offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material represented as a controlled substance, alcoholic beverage, or intoxicant.
5. Caused or attempted to cause damage to school or private property.
6. Stole or attempted to steal school property or private property.
7. Possessed or used tobacco or any tobacco products.
8. Committed an obscene act or engaged in habitual profanity or vulgarity.
9. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia.
10. Disrupted school activities (school-wide activities; issued only by an administrator).
11. Knowingly received stolen school or private property.
12. Possessed an imitation firearm. “Imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude it is a firearm.
13. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding.

14. Committed sexual harassment (applicable to grades 4 through 8 only).
15. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence (applicable to grades 4 through 8 only).
16. Intentionally engaged in harassment, threats, or intimidation against school district personnel or pupils (applicable to grades 4 through 8 only).
17. Made terroristic threats against school officials or school property, or both.
18. Offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
19. Engaged in, or attempted to engage in, hazing.
20. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

C. PROCESS FOR SUSPENSION AND/OR EXPULSION

Step 1: Informal Conference

Suspension shall be preceded by an informal conference conducted by the Executive Director or Student and Family Support Coordinator, with the student and the student's parents. The conference may be omitted if the Executive Director or Student and Family Support Coordinator determine that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the student is suspended without a conference, the parents will be notified of the suspension and a conference will be conducted with the principal as soon as practicable.

Step 2: Notice to Parents

Parents and students will have due process rights with regards to suspensions. The Executive Director has the authority to suspend. At the time of a student's suspension, the Executive Director (or her designee) shall make a reasonable effort to contact the parents by telephone or in person and provide notice to parents/guardians, in their home language, of the offenses committed, the actions taken, and the length of time of the suspension. The designee can include the Operations Director, the Student and Family Support Coordinator, or the Office Administrator. The notice will also clarify if the suspension is an in-school or out of school suspension.

Step 3: Determination of Length of Suspension

The length of the suspension will be determined by the Executive Director based on the severity of the offense(s), as evidenced by witness statements, physical evidence, and other relevant factors. The length of suspension for students may not exceed a period of 5 consecutive days for in-school or out of school suspensions. The total number of days for which a pupil may be suspended from school shall not exceed a total of 20 school days in any school year for in-school or out of school suspensions, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of schooldays for which the pupil may be suspended shall not exceed 30 days in any school year.

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

Step 4: Recommendations for Expulsion

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

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

Upon this determination, the student's suspension will be extended pending the results of an expulsion hearing. The suspension can be extended beyond five days only if, following a meeting in which the student and parent/guardian are invited to attend, it is found that the student's presence at school or in an alternative school placement would "cause a danger to persons or property or a threat of disrupting the instructional process" (§48911(g)). The student may be suspended the amount of time prior to the hearing, maximum 30 days. The student will be placed in an alternative education setting within 5 days after the offense.

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

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

Step 5: Expulsion Hearing

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

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

- The date and place of the hearing
- A statement of the specific facts, charges and offense(s) upon which the proposed expulsion is based
- A statement of the disciplinary rules that relate to the alleged violation
- The opportunity for the student or the student's parents to appear in person at the hearing
- The opportunity for the student to be represented by counsel
- The reinstatement eligibility review date
- The type of educational placement during the period of expulsion
- Notice of appeal rights/procedures
- Notice of reasonable accommodations

- Availability of language support
- Special rules and procedures for incidents involving sexual assault, presentation and cross examination of witnesses.

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

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

The decision of the Expulsion Review Panel shall be in the form of written findings of fact. Reasonable accommodations will be provided, as well as language support, as needed by the student, student's family, and representative.

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. These records will be made available to parents / students through a written request made to the school office.

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

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

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

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

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

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

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

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the student's district of residence within 5 days. This notice shall include the following:

1. The student's name
2. The specific expellable offense committed by the student
3. The reinstatement eligibility review date and procedures.
4. A copy of the rehabilitation plan.
5. Appeal procedures

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

- Identify an appropriate and timely educational placement
- Share appropriate information as requested by the family to support the student in receiving needed services and supports
- Consult, collaborate, and coordinate school staff with community agency personnel

D. APPEAL OF SUSPENSION OR EXPULSION

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

For school suspension and in-school suspension appeals, the Director of Operations shall form a Suspension Appeal Committee made up of Charter School employees not related to the incident or to the student and conduct a suspension appeal review within five (5) school days of the submission of appeal.

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

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

Expulsion Appeal. The pupil shall have the right of appeal from expulsion from New Heights. Parents can appeal the expulsion decision to a Disinterested Panel of Charter Community Members, whose members are not connected with New Heights in any formal way. Parents/guardians must file an appeal within 30 calendar days of the date on which the student was expelled by the New Heights governing board. The student / parent/ guardian may request the hearing transcript and any supporting documents from New Heights the day of filing and include them in the appeal. New Heights has ten school days to provide the documents and must ensure the appeal hearing is held within 20 school days of the date on which the appeal was filed. Following the appeal hearing, the Disinterested Panel of Charter Community Members will make a final decision based on the information presented at the appeal hearing by the parent and information from the original expulsion hearing. The Disinterested Panel of Charter Community Members will notify the Charter School's governing board in writing. The Disinterested Panel of Charter Community Members' decision, regarding the expulsion, will be final.

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

Suspended students will still be responsible for all classroom assignments; when appropriate, students will be given an in-school suspension with a specific schedule in order to not miss any school days. In the event of a decision to expel a student, the school will work cooperatively with the District to assist with appropriate educational placement of the expelled student.

Reinstatement: When a student is eligible to be considered for reinstatement the Executive Director will conduct a reinstatement review. Parents will be notified of this review by phone and US mail. 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.

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, notwithstanding any provision in Element 16 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, per applicable legal and retirement plan requirements.

The Executive Director is responsible for ensuring that appropriate arrangements for retirement coverage have been made for all employees.

A. CERTIFICATED EMPLOYEES

All full-time, certificated employees at New Heights will continue to participate in the State Teachers’ Retirement System (“STRS”). Full-time is defined, for certificated employees, as working six (6) hours per day. Employees will contribute the required employee percentage, and Charter School will contribute the employer’s portion. All withholdings from employees and from Charter School will be forwarded to the STRS fund as required. Employees will accumulate service credit years in the same manner as all other members of STRS. STRS contributions will be reported through LACOE.

B. CLASSIFIED EMPLOYEES

All full-time, classified employees at New Heights are offered the opportunity to participate in the school’s 403B plan.

C. OTHER EMPLOYEES

Other staff positions not included in the above categories will participate in Social Security.

ELEMENT 12 – PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.” (Ed. Code § 47605(b)(5)(L).)

Pupils who choose not to attend Charter School may choose to attend other public schools in their district of residence or pursue inter-district transfers in accordance with existing enrollment and transfer policies of the District.

New Heights will communicate to all prospective and current parents and students that New Heights is a school of choice, and parents may choose to send their children to a different school in the area. All parents and students will be informed that they have public school attendance alternatives on the Lottery Application.

ELEMENT 13 – RIGHTS OF DISTRICT EMPLOYEES

“A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” (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).)

The staff and governing board members of Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and Charter School, except any controversy or claim that is in any way related to revocation of this Charter (“Dispute”), pursuant to the terms of this Element 14.

Any Dispute between the District and Charter School 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.

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

Amy Berfield, Executive Director
New Heights Charter School
2202 W. Martin Luther King Blvd.
Los Angeles, CA 90008

- 2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

- 3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys' fees, costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party's request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.

ELEMENT 15 – EXCLUSIVE PUBLIC SCHOOL EMPLOYER

“A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.” (Ed. Code § 47605(b)(5)(O).)

Charter School is deemed the exclusive public school employer of all employees of Charter School for collective bargaining purposes. As such, Charter School shall comply with all provisions of the Educational Employment Relations Act (“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.

ELEMENT 16 – CHARTER SCHOOL CLOSURE PROCEDURES

“A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.”
(Ed. Code § 47605(b)(5)(P).)

REVOCATION OF THE CHARTER

The District may revoke the Charter if Charter School commits a breach of any provision set forth in a policy related to charter schools adopted by the District Board of Education and/or any provisions set forth in the Charter Schools Act of 1992. 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 clause set forth in this Charter.

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

CLOSURE ACTION

The decision to close Charter School, either by the governing board of Charter School or by the LAUSD Board of Education, 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; 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 the person(s) designated to be responsible for conducting and overseeing all closure activities and 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 this notification 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 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, which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results
3. Information on student completion of college entrance requirements, for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the 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 days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of such letters to the CSD.

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 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 student records to receiving schools shall be in accordance with 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, Charter School payroll and personnel records, and Title I records (if applicable). Personnel records must include any and all employee records including, but not limited to, records related to performance and grievance.
7. 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.
8. 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.

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. If Charter School chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (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 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. File a Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).
- c. Make final federal tax payments (employee taxes, etc.)
- d. File its final withholding tax return (Treasury Form 165).
- e. File its final return with the IRS (Form 990 and Schedule).

This Element 16 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end 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 16. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

ADDITIONAL PROVISIONS

FACILITIES

District-Owned Facilities

If Charter School is using District facilities as of the date of the submittal 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.

Notwithstanding any provision of any existing agreement for the use of District facilities, no agreement for the use of District facilities shall automatically renew or extend its term with the renewal of the charter petition. 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.

Prop. 39 Single Year Co-Location Use Agreement shall be limited to one (1) school year and expire on the date stated in said instrument. There is no automatic renewal.

For the Sole Occupant Agreement or any other use agreement that is not a lease issued through the Notice of Intent and bid process, the term shall not exceed five (5) years or shall be co-terminus with the charter petition, whichever is shorter. 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 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. 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 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. The District shall have 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 school site or facility, Charter School shall provide adequate documentation to the CSD that the 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, or notices issued by the authorized building and safety agency or the District. 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 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] 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 ("Board of Education") as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a

student bus service. If Charter School provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.

4. Crime Insurance or Fidelity Bond coverage shall be maintained by Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.
5. Professional Educators Errors and Omissions liability coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
6. Sexual Molestation and Abuse coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.
7. Employment Practices Legal Liability coverage with limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
8. Excess/umbrella insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. *The policy shall be endorsed to name the Los Angeles Unified School District and 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 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.

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.

Internal Fiscal Controls

Charter School will develop and maintain sound internal fiscal control policies governing all financial activities.

Apportionment Eligibility for Students Over 19 Years of Age

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. (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
District Required Language for Independent Charter School
Petitions (New and Renewal) and Material Revisions

Assurances and Affirmations

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

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(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).)
- 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 students 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).)

NOTE: This Charter contains specific “District Required Language” (DRL), including the Assurances and Affirmations 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

“A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.” (Ed. Code § 47605(b)(5)(A)(i).)

“A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” (Ed. Code § 47605(b)(5)(A)(ii).)

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

TRANSITIONAL KINDERGARTEN

Charter School shall comply with all applicable requirements regarding transitional kindergarten.

WASC ACCREDITATION

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

ENGLISH LEARNERS

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

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

- How English Learners' needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How 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 EL program assessment. 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 ensure that it will 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 schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

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

SELPA Reorganization

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a) and intends to continue operating as a single-District SELPA as in the current structure but has created two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year 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 but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools may apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs.

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

- Statewide Assessment Data (**Including Charter Schools**)

The usual file including District ID.

- Norm day

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

- CBEDS (**Including Charter Schools**)

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

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

- Dropout (**Including Charter Schools**)

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

- Monthly SESAC and Suspension data (**Including Charter Schools**)

- Graduation roster from all LAUSD schools (**Including Charter Schools**) with 12th grade SWD

The MCD requires charter schools to implement the District's integrated student information system which is 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 in compliance with the requirements of the MCD and applicable timelines and upon the release of Milestone 8 which includes the final set of functionalities required to comply with the MCD. Upon charter school full utilization of MiSiS, the list of required data above will automatically be captured within MiSiS.

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 (Local Control Funding Formula) and AB 484, as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

STANDARDIZED TESTING

Charter School agrees to comply with and adhere to state requirements for participation and administration of all state-mandated tests, including computer-based assessments. Charter School shall submit and maintain up-to-date and accurate 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.

Element 4 – Governance

“The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.” (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 policy as it relates to charter schools, as they may be amended from time to time.

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.

All employees and representatives of Charter School, including members of Charter School's governing board, members of Charter School or governing board committees or councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD's charter school policies, regarding ethics and conflicts of interest.

TITLE IX, SECTION 504, AND UNIFORM COMPLAINT PROCEDURES

Charter School shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and section 504 of the Rehabilitation Act of 1973 ("Section 504"), including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Charter School shall notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action 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 inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School, including its nonprofit corporation, acknowledges that it is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current 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 charter, is received or discovered by the District, Charter School shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

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 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 receiving a 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 16. Charter School shall comply with the requirements of Education Code section 49060 et seq., 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.

Element 5 – Employee Qualifications

"The qualifications to be met by individuals to be employed by the 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 recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

ESEA/NCLB AND CREDENTIALING REQUIREMENTS

Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(l). Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

Element 6 – Health and Safety Procedures

"The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237." (Ed. Code § 47605(b)(5)(F).)

HEALTH, SAFETY AND EMERGENCY PLAN

Charter School shall have a comprehensive site-specific Health, Safety and Emergency Plan, including but not limited to the acquisition and maintenance of adequate onsite emergency supplies, in place prior to beginning operation of Charter School each school year. 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 SB 1266 (2014). 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 Plan, and keep it readily available for use and review upon CSD request.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Charter School, including its employees and officers, 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.

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, in accordance with Education Code section 49406. Charter School shall maintain TB clearance records and certifications on file.

Charter School shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, 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.

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 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. Instead, the District now receives 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.

FEDERAL PROGRAM COMPLIANCE

As a recipient of federal funds, including federal Title I, Part A funds, Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) and other applicable federal grant programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, qualifications and credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

- Notify all parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher
- Notify each individual parent, in a timely manner, if and when the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact
- Hold an annual Title I meeting for parents of participating Title I students
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy
- Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds
- Complete and submit Local Education Agency (LEA) Plan to CDE
- Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I Schoolwide Program eligibility and status, if applicable; otherwise, identify and maintain roster of eligible students for the Title I Targeted Assistance School Program
- Maintain inventory of equipment purchased with categorical funds, where applicable
- Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable
- Participate in any applicable federal program monitoring conducted by the California Department of Education
- Conduct an annual evaluation of the effectiveness of funds allocated through the Consolidated Application

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 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 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 provisions of Education Code sections 48850 – 48859.

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, 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)(l).)

The annual audit shall be conducted in compliance with Education Code section 47605(b)(5)(l) as it is amended from time to time.

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD, each year:

- k. Provisional Budget – Spring prior to operating fiscal year
- l. Final Budget – July of the budget fiscal year
- m. First Interim Projections – November of operating fiscal year
- n. Second Interim Projections – February of operating fiscal year
- o. Unaudited Actuals – July following the end of the fiscal year
- p. Audited Actuals – December 15 following the end of the fiscal year
- q. Classification Report – monthly according to Charter School’s Calendar
- r. Statistical Report – monthly according to Charter School’s Calendar of Reports

In addition:

- P1, first week of January
- P2, first week of April
- s. Instructional Calendar – annually five weeks prior to first day of instruction
- t. 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, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

In the case of a student who has an Individualized Education Program ("IEP"), or a student who has a 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District's Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, Charter School's administrator will convene a Link Determination meeting to ask the following two questions:

- C. Was the misconduct caused by, or directly and substantially related to the student's disability?
- D. Was the misconduct a direct result of the Charter School's failure to implement 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:
 - C. Was the misconduct caused by, or directly and substantially related to the student's disability?
 - D. Was the misconduct a direct result of Charter School's failure to implement 504 Plan?

Notwithstanding the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student's district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code 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, notwithstanding any provision in Element 16 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, per 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 who choose not to attend Charter School may choose to attend other public schools in their district of residence or pursue inter-district transfers in accordance with existing enrollment and transfer policies of the District.

Element 13 – Rights of District Employees

“A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” (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).)

The staff and governing board members of Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and Charter School, except any controversy or claim that is in any way related to revocation of this Charter (“Dispute”), pursuant to the terms of this Element 14.

Any Dispute between the District and Charter School shall be resolved in accordance with the procedures set forth below:

- 5) 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.

All Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Director/Principal
Charter School
[See Element 14]

- 6) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue

Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

- 7) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys’ fees, costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party’s request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 8) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney’s fees, costs and expenses associated with the arbitration. The arbitrator’s fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney’s fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.

Element 15 – Exclusive Public School Employer

“A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.” (Ed. Code § 47605(b)(5)(O).)

Charter School is deemed the exclusive public school employer of all employees of Charter School for collective bargaining purposes. As such, Charter School shall comply with all provisions of the Educational Employment Relations Act (“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.

Element 16 – Charter School Closure Procedures

“A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” (Ed. Code § 47605(b)(5)(P).)

REVOCATION OF THE CHARTER

The District may revoke the Charter if Charter School commits a breach of any provision set forth in a policy related to charter schools adopted by the District Board of Education and/or any provisions set forth in the Charter Schools Act of 1992. 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 clause set forth in this Charter.

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

CLOSURE ACTION

The decision to close Charter School, either by the governing board of Charter School or by the LAUSD Board of Education, 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; 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:

9. The LAUSD Charter Schools Division (CSD). Charter School shall provide the CSD with written notice of the person(s) designated to be responsible for conducting and overseeing all closure activities and 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.
10. 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.
11. 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.
12. 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.
13. 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 this notification and correspondence to the CSD.
14. 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.
15. 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.
16. 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 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:

5. The effective date of the closure of Charter School
6. The name(s) and contact information for the person(s) handling inquiries regarding the closure
7. The students' school districts of residence

8. 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:

3. A description of the circumstances of the closure
4. 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:

4. Information on how to enroll or transfer the student to an appropriate school
5. A certified packet of student information that includes closure notice, a copy of the student's cumulative record, which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results
6. Information on student completion of college entrance requirements, for all high school students affected by the closure

Notification of employees and vendors shall include:

4. The effective date of the closure of Charter School
5. The name(s) and contact information for the person(s) handling inquiries regarding the closure
6. 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 days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of such letters to the CSD.

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:

9. Charter School shall provide the District with 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.
10. Charter School's process for transferring student records to receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another.

11. 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.
12. 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.
13. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
14. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, Charter School payroll and personnel records, and Title I records (if applicable). Personnel records must include any and all employee records including, but not limited to, records related to performance and grievance.
15. 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.
16. 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:

4. 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.
5. 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.
6. 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.

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:

5. Preliminary budgets
6. Interim financial reports
7. Second interim financial reports
8. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If Charter School chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (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:

5. 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.
6. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
7. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
8. 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 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:

- f. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.
- g. File a Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).
- h. Make final federal tax payments (employee taxes, etc.)
- i. File its final withholding tax return (Treasury Form 165).
- j. File its final return with the IRS (Form 990 and Schedule).

This Element 16 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end 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 16. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

Additional Provisions

FACILITIES

District-Owned Facilities

If Charter School is using District facilities as of the date of the submittal 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.

Notwithstanding any provision of any existing agreement for the use of District facilities, no agreement for the use of District facilities shall automatically renew or extend its term with the renewal of the charter petition. 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.

Prop. 39 Single Year Co-Location Use Agreement shall be limited to one (1) school year and expire on the date stated in said instrument. There is no automatic renewal.

For the Sole Occupant Agreement or any other use agreement that is not a lease issued through the Notice of Intent and bid process, the term shall not exceed five (5) years or shall be co-terminus with the charter petition, whichever is shorter. 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 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. 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 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. The District shall have 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:
 - (iii)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
 - (iv)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.
 - (iii)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.
 - (iv)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 school site or facility, Charter School shall provide adequate documentation to the CSD that the 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, or notices issued by the authorized building and safety agency or the District. 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 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] 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:

5. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles ("Board of Education") as named additional 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.
6. 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.
7. 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 bus service. If Charter School provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
8. 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 \$50,000 per occurrence, with no self-insured retention.
9. Professional Educators Errors and Omissions liability coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.

10. Sexual Molestation and Abuse coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.
11. Employment Practices Legal Liability coverage with limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
12. Excess/umbrella insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. *The policy shall be endorsed to name the Los Angeles Unified School District and 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 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.

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.

Internal Fiscal Controls

Charter School will develop and maintain sound internal fiscal control policies governing all financial activities.

Apportionment Eligibility for Students Over 19 Years of Age

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. (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).)