



FENTON CHARTER PUBLIC SCHOOLS

**Fenton STEM Academy:  
Elementary Center for Science, Technology,  
Engineering and Mathematics**

**Charter Renewal Petition**

**Submitted on July 30, 2018**

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## Assurances, Affirmations, and Declaration

Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Mathematics (also referred to herein as “STEM Academy” and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(d)(1).)
- Not charge tuition. (Ed. Code § 47605(d)(1).)
- Not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code. (Ed. Code § 47605(d)(1); Ed. Code § 220.)
- Except as provided in Education Code section 47605(d)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. (Ed. Code § 47605(d)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(d)(2)(A).)
- Except for existing pupils of Charter School, determine attendance by a public random drawing if the number of pupils who wish to attend Charter School exceeds Charter School’s capacity. Preference shall be extended to pupils currently attending Charter School and pupils who reside in the Los Angeles Unified School District (also referred to herein as “LAUSD” and “District”). (Ed. Code § 47605(d)(2)(B).)
- If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. (Ed. Code § 47605(d)(3).)
- Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. (Ed. Code § 47605(c)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(c)(2).)

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

In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

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

## INTRODUCTION

### **Fenton Charter Public Schools**

The history of Fenton Charter Public Schools (“FCPS”) begins in March 1993, when the staff of Fenton Avenue Elementary unanimously affirmed the decision to write and submit a charter petition to the authorizing district, LAUSD. Using the twenty-two charter petitions which had been approved by the state, along with the District’s then-recently publicized LEARN document, the staff of Fenton Avenue Elementary worked for six weeks to address the 14 elements (later 16, and now 15) of California’s original charter school law, adopted as SB 1448. Approved by the Los Angeles City Board of Education in June 1993, Fenton Avenue Charter School (“FACS”) became LAUSD’s seventh charter school and charter number 30 in the state of California. As a conversion charter, the attendance area served by FACS has remained constant, with current student demographics reflective of the surrounding area: 92% Hispanic; 6% African American; 55% English Learner (“EL”); 91% qualifying for Free or Reduced Price Meals (“FRPM”); 15% Special Needs, (Source: CALPADS, 2016).

As a fiscally independent charter school, FACS was in a unique position to demonstrate how fiscal independence and local control could improve and enhance existing conditions for students and employees. Implementing high standards and expectations for all staff was the initial step in changing the mindset of the organization. Transferring that mindset to every classroom was critical in lifting Fenton Avenue Elementary from one of the lowest performing schools in the District to FACS as one of the highest in the area. Test scores improved significantly after conversion, and in 1997, FACS was named a California Distinguished School.

In 2007, Fenton Primary Center, a start-up charter school that was created to move FACS off the year round, multi-track calendar, was approved, and in 2013, FPC moved to its own 55,000 square foot site just eight-tenths of a mile from FACS. At that time, Fenton Avenue Charter School moved off the Modified Concept Six 163-day calendar for the first time in 20 years, with the separation of grades kindergarten through second (to FPC) and third through fifth grades (remaining at FACS). Both charter schools serve the original attendance area of Fenton Avenue Elementary and nearly the same demographic population.

In 2011, the leadership of Fenton Avenue Charter School and the Fenton Primary Center established Fenton Charter Public Schools, a charter management organization (“CMO”), to ensure the continued and long-term viability of the schools. Soon after the establishment of the CMO, on May 1, 2012, the LAUSD Board of Education approved the renewal of the Santa Monica Boulevard Community Charter School charter petition, a large conversion in East Hollywood, with FCPS as the operator, and the organization nearly doubled in size, to over 2,500 students. By 2013, the three FCPS schools were the highest performing schools in their respective areas, with Academic Performance Index (“API”) scores of over 800.

Fenton Charter Public Schools has consistently valued and maintained a strong focus on Science, Technology, Engineering, and Mathematics instruction for the last twenty years. Teachers for students in grades TK-6<sup>th</sup> grade utilize a rigorous and state adopted curriculum to teach science content on a daily basis. All students benefit greatly from hands-on experiments and working in collaborative groups to solve real life problems. Educators meet biweekly for planning and collaboration purposes, as well as sharing of instructional strategies and best practices. Schoolwide data analysis is ongoing and relevant to instructional practice.

As a result of these efforts, Fenton Charter Public Schools students score significantly higher in science and mathematics as measured on state standardized assessments. Interest in STEM learning and the benefits that an instructional program that fully embraced and integrated STEM into all aspects of the school day led the founders of Fenton Charter Public Schools, Joe Lucente, Board President of Fenton Charter Public Schools, and Irene Sumida, Executive Director of Fenton Charter Public Schools, to consider replication with a focus school centered on STEM learning. The charter petition for Fenton STEM Academy was approved by the Los Angeles Unified School District Board of Education in June 2013.

Opened in August 2015, Fenton STEM Academy is charter number 1605 in the state of California and one of the five schools within the Fenton Charter Public Schools charter management organization.

## **Element 1 – The Educational Program**

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

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

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

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

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Los Angeles County Superintendent of Schools and the Charter Schools Division (CSD) on or before July 1. In accordance with Education Code sections 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code section 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. Charter School shall comply with all requirements of Education Code section 47606.5, including but not limited to the requirement that Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.” (Ed. Code § 47606.5(e).)

## **ACADEMIC CALENDAR AND SCHEDULES**

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

## **MATHEMATICS PLACEMENT**

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

## **TRANSITIONAL KINDERGARTEN**

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

## **HIGH SCHOOL EXIT EXAMINATION**

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

## **WASC ACCREDITATION**

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

## **ENGLISH LEARNERS**

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

On an annual basis, upon request, Charter School shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School has adopted and is implementing either the LAUSD English Learner Master Plan *or* Charter School's own English Learner (EL) Master Plan. If Charter School chooses to implement its own EL Master Plan, the plan shall provide a detailed description of Charter School's EL program, and shall address the following:

- How Charter School's EL Master Plan provides all of its English Learners, including but not limited to Long Term English Learners (LTELs) with an effective English language acquisition program as well as meaningful and equitable access to Charter School's core academic curriculum
- How English Learners' specific needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How Charter School will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services



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

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

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

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

## **STUDENTS WITH DISABILITIES**

### **Federal Law Compliance**

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

### **Special Education Program**

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

Prior to LAUSD Board of Education approval of an initial Charter petition, and if a renewing Charter School intends to operate as a "school of the district" for special education services, Charter School shall execute a Memorandum of Understanding ("MOU") by and between LAUSD and Charter School regarding the provision and funding of special education services consistent with applicable state law and the LAUSD Special Education Local Plan Area ("SELPA") Local Plan for Special Education and shall be considered a "public school of the District" for purposes of Special Education pursuant to Education Code Section 47641(b). However, Charter School reserves the right to make written verifiable assurances that it may become an independent local educational agency (LEA) and join a SELPA pursuant to Education Code Section 47641 (a) either on its own or with a grouping of charter school LEAs as a consortium following the requirements of Education Code section 56195.3(b).

### **SELPA Reorganization**

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a). As a single-District SELPA, the District has created two charter school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the

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

### **Modified Consent Decree Requirements**

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

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

- **End of Year Suspension**

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

- **Statewide Assessment Data**

The standard file including District ID.

- **Norm day**

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

- CBEDS

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

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

- Dropout

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

- Monthly SESAC and Suspension data

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

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

### **GENERAL INFORMATION**

• The contact person for Charter School is:	Jennifer Miller, Director
• The contact address for Charter School is:	8926 Sunland Boulevard Sun Valley, CA 91352
• The contact phone number for Charter School is:	818-962-3636
• The proposed address or target community of Charter School is:	8926 Sunland Boulevard Sun Valley, CA 91352
• This location is in LAUSD Board District:	6
• This location is in LAUSD Local District:	Northeast
• The grade configuration of Charter School is:	TK - 5
• The number of students in the first year will be:	400
• The grade level(s) of the students in the first year will be:	TK - 5
• Charter School's scheduled first day of instruction in 2018-2019 is:	August 15, 2018
• The enrollment capacity is: (Enrollment capacity is defined as the total number of students who may be enrolled in Charter School regardless of student residency.)	600
• 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:	8:00 a.m. to 2:30 p.m.
• The term of this Charter shall be from:	July 1, 2019 to June 30, 2024

### **COMMUNITY NEED FOR CHARTER SCHOOL**

Fenton STEM Academy is located in an urban section of East Sun Valley that consists of mixed residential and commercial/industrial development. STEM has been in existence as a start up public charter school since July 2015.

Since initial charter approval in 2015, Fenton STEM Academy has implemented innovative ideas and strategies, and invested human and fiscal resources to improve the quality and effectiveness of the instructional program. During its first year of operation, STEM received an outstanding review from the Charter Schools Development Center ("CSDC") during an external audit as required through the Public Charter School Grant Program ("PCSGP"). One year later, STEM received Western Association of Schools and Colleges ("WASC") accreditation and was awarded the After School Education and Safety Program Grant ("ASES"). STEM has maintained a strong partnership with local organizations such as the Sun Valley Area Neighborhood Council, Sol Del Valle Community Organization, as well as STEM related organizations such as NASA/JPL and SpaceX. Most notably, STEM has increased student academic achievement significantly as measured through English Learner reclassification and California Assessment of Student Performance and Progress ("CAASPP") standards.

## Renewal Criteria

In order to recommend approval of a charter school renewal application to the LAUSD Board of Education, the Charter Schools Division must determine whether the charter school has met the requirements of California Education Code sections 47605 and 47607.

### Renewal Eligibility

The Charter Schools Act sets forth minimum statutory criteria for renewal in Education Code section 47607(b). Specifically, charter schools that have been in operation for four years must meet at least one of the following criteria:

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

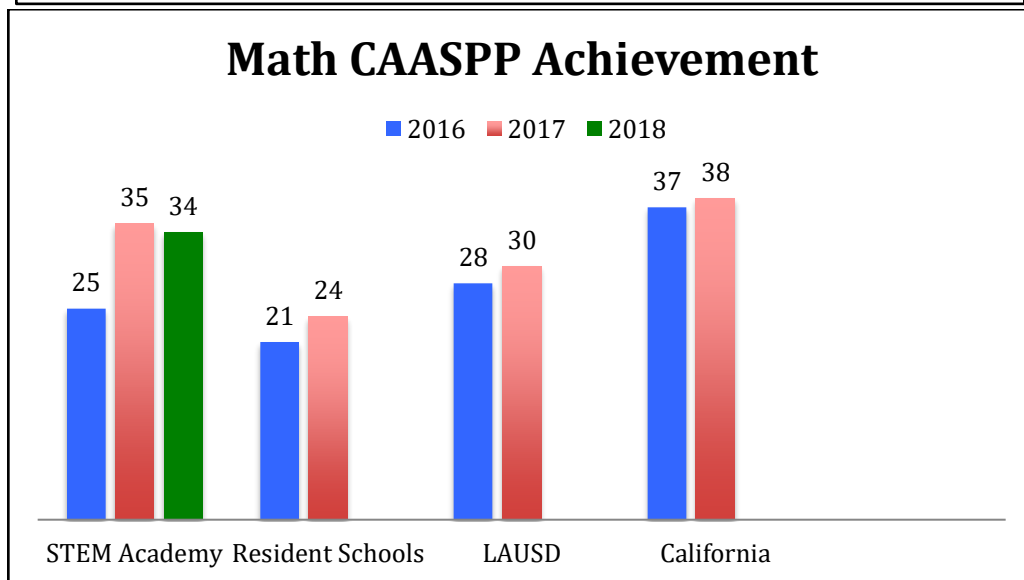
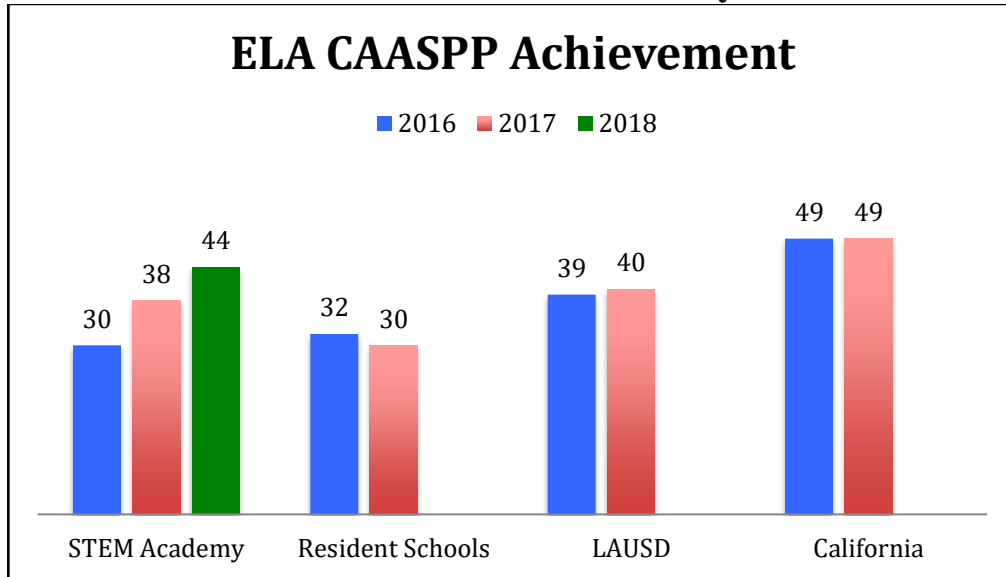
While Education Code Section 47607(b) does not apply to STEM Academy because the Charter School has not been in operation for four years, the following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as set forth in Education Code Section 47607(b)(4).

### **Results of the 2015 - 2018 CAASPP:**

In just three short years, Fenton STEM Academy students have shown a significant increase as measured by CAASPP achievement results. STEM Academy students grew from 30% standard met and standard exceeded in English Language Arts during the 2015-2016 school year, to 38% during 2016-2017 to a recent 44% standard met and standard exceeded during \*2017-2018. For Mathematics, STEM Academy students grew from 25% standard met and standard exceeded in Mathematics during 2015-2016 school year, to 35% during 2016-2017, to a recent 34% standard met and standard exceeded during \*2017-2018. Fenton STEM Academy students have grown an overall 14% percentage points in ELA and 9% percentage points in Mathematics. Fenton STEM Academy students have consistently outperformed neighboring schools, and in some cases even the state of California.

*\*2017-2018 CAASPP Preliminary results from the Test Operations Management System TOMS site.*

**Comparison of 2015 - 2018 CAASPP Standard Met and Standard Exceeded  
for Fenton STEM Academy**



## Comparison of 2017 CAASPP Data between STEM Academy with 5 LAUSD Resident Schools

### 2017 LAUSD Resident Schools Smarter Balanced Assessment Overall and Subgroup Achievement Data

	CAASPP Standard met and standard exceeded % (All)	CAASPP Standard met and standard exceeded % (All)	CAASPP Standard met and standard exceeded % (Hispanic)	CAASPP Standard met and standard exceeded % (Hispanic)	CAASPP Standard met and standard exceeded % (SED)	CAASPP Standard met and standard exceeded % (SED)	CAASPP Standard met and standard exceeded % (EL)	CAASPP Standard met and standard exceeded % (EL)
	ELA	MATH	ELA	MATH	ELA	MATH	ELA	MATH
<b>Fenton STEM Academy</b>	<b>38</b>	<b>35</b>	<b>36</b>	<b>33</b>	<b>36</b>	<b>33</b>	<b>3</b>	<b>6</b>
Fernangeles Elementary	29	20	30	20	29	19	5	9
Glenwood Elementary	21	16	20	16	20	16	3	2
Montague Charter Academy	26	24	27	24	27	24	6	8
Roscoe Elementary	30	27	30	26	29	24	2	3
Vinedale Elementary	44	35	42	33	42	30	*	*
<b>Median Scores of Resident Schools</b>	<b>30</b>	<b>24</b>	<b>30</b>	<b>24</b>	<b>29</b>	<b>21</b>	<b>2.5</b>	<b>2.5</b>
<b>LAUSD</b>	<b>40</b>	<b>30</b>	<b>31</b>	<b>27</b>	<b>31</b>	<b>27</b>	<b>5</b>	<b>7</b>
<b>California</b>	<b>49</b>	<b>38</b>	<b>34</b>	<b>29</b>	<b>32</b>	<b>27</b>	<b>15</b>	<b>16</b>

Source: Los Angeles Unified School District Charter School Division, 2018

STEM Academy outperformed the median scores of our nearby LAUSD resident schools on the 2017 CAASPP in both ELA and Mathematics when measuring the percentage of students that “Met or Exceeded” the standard schoolwide. STEM Academy students significantly outperformed our resident schools across all subgroups, most notably in Mathematics.

### Comparison of Demographic Data between STEM Academy with Resident Schools (October 2017)

	Total Enroll #	% F/R Meal	% Latino	% EL	17-18 Reclass Rate
<b>Fenton STEM Academy</b>	<b>301</b>	<b>85%</b>	<b>84%</b>	<b>26%</b>	<b>23%</b>
Glenwood Elementary	329	87%	91%	41%	15%
Montague Charter Elementary	814	91%	96%	41%	12%
Roscoe Elementary	594	92%	91%	42%	16%
Fernangeles Elementary	643	92%	95%	44%	29%
Vinedale Elementary	154	89%	89%	22%	39%
<b>Median of Resident Schools</b>	<b>594</b>	<b>91%</b>	<b>92%</b>	<b>41%</b>	<b>16%</b>

The 2017 CAASPP data of STEM Academy demonstrates the success of our educational program. These numbers are impressive, considering the demographics of our local schools. STEM Academy has a similar amount of students eligible for Free or Reduced Price Meals (“FRPM”)

when compared to the median of our resident schools. The Fenton STEM Academy reclassification rate continues to be higher than the median of our resident schools.

**5th Grade Science State Assessments:** During the 2015-2016 school year, Fenton STEM Academy students participated in the final year of CST 5<sup>th</sup> Grade Science Assessments. Fenton STEM students demonstrated significant proficiency by achieving a 70% proficiency rate.

<b>Fenton STEM Academy</b>	<b>70%</b>
<b>LAUSD</b>	38%
<b>California</b>	55%

*Source: California Department of Education, 2015 Test Results:*

*<https://caaspp.cde.ca.gov/caaspp2015>*

**LAUSD Charter Schools Division Oversight Review Visits:** In three years of operation, the Charter School has received positive reviews from the LAUSD Charter Schools Division (“CSD”). STEM Academy has consistently received the highest marks possible (4 - Accomplished) in the areas of Governance and Organizational Management and Operations and shown considerable improvement in record time regarding Fiscal and Achievement. Our most current oversight review provided scores of 4 (Accomplished) and 3 (Proficient) in Student Achievement. CSD consistently provides us with favorable reviews of our STEM integrated instructional model, use of graphic representation, academic dialogue, and continued innovative practices.

	<b>Governance</b>	<b>Student Achievement and Educational Performance</b>	<b>Organizational Management and Operations</b>	<b>Fiscal Operations</b>
<b>2017 - 2018</b>	4	3	4	4
<b>2016 - 2017</b>	4	2	4	3
<b>2015 - 2016</b>	4	No Rating	4	2

### **Internal Assessment Data**

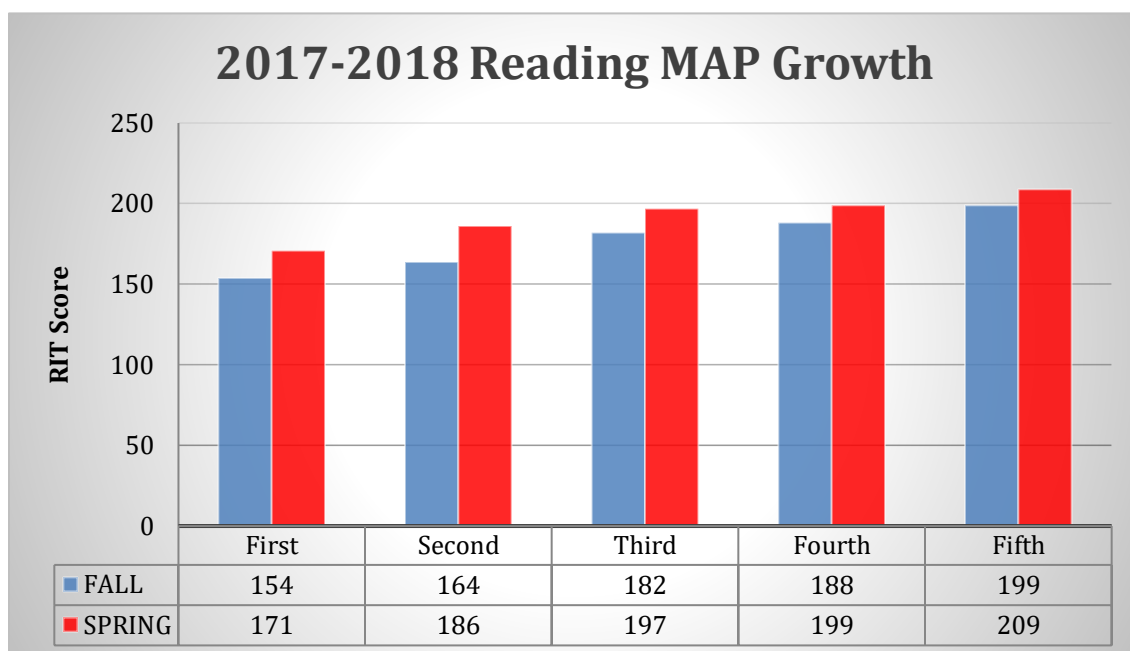
Local assessments consist of weekly quizzes and informal monitoring of student progress. Student achievement data is collected daily, weekly, monthly and annually, both formally and informally to measure student progress and to integrate intervention as necessary. With the implementation of the CAASPP and the Common Core State Standards, STEM Academy has implemented the Northwest Evaluation Association<sup>TM</sup> (“NWEA”<sup>TM</sup>) and Measures of Academic Progress<sup>®</sup> (“MAP”<sup>®</sup>) online assessments. NWEA MAP Assessments to measure students’ progress in mathematics (K-6), reading (K-6), and language use (2-6). The Measures of Academic Progress<sup>®</sup> creates a personalized assessment experience by adapting to each student’s learning to precisely measuring student progress and growth for each individual. Student MAP testing results are reported in Rasch Unit (“RIT”) scores. A RIT score is an estimation of a student’s instructional level and also measures student progress or growth. A RIT score will vary from grade to grade as a student grows. The MAP assessments were first implemented during the 2015-2016 school year.



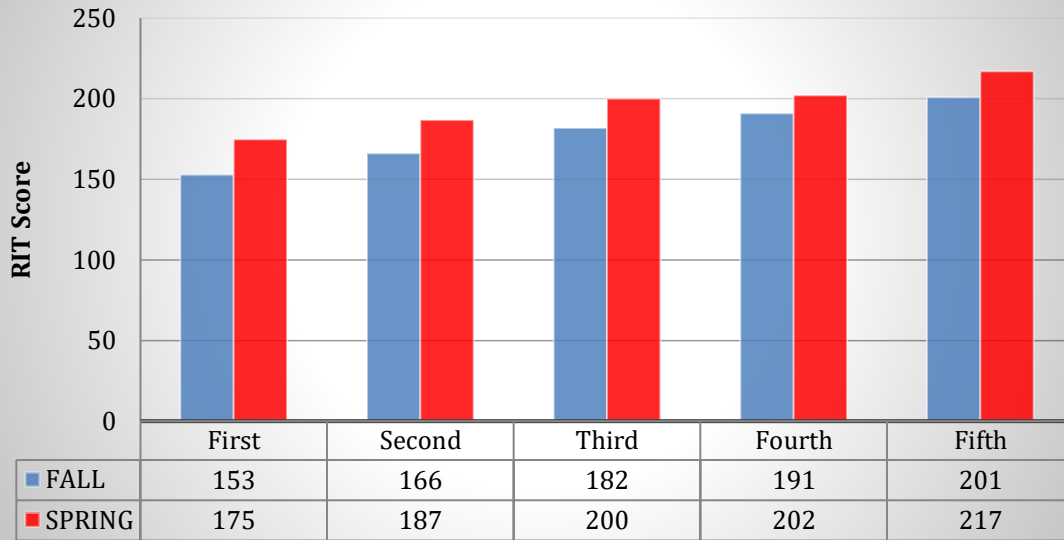
We are pleased to share that each grade has shown growth from the Fall to Winter testing session and from the Winter to Spring testing session.

### Results of the 2017 – 2018 MAP Assessments

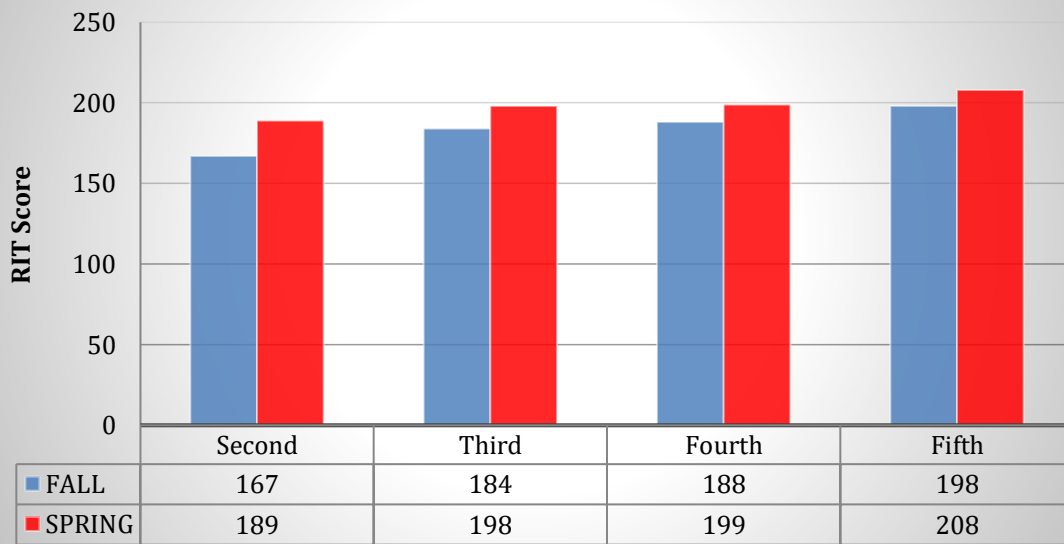
All students during the 2017 - 2018 school year participated in Measures of Academic Progress Assessments at STEM Academy. Students in grades 1<sup>st</sup> – 5<sup>th</sup> were tested in reading, math, and language skills at three different times throughout the year. Kindergarten students were tested during winter and spring. All students showed growth in their overall proficiency, as measured by their RIT scores. The following graph indicates overall RIT score from Beginning of Year (“BOY”) tests compared to End of Year (“EOY”) tests. Students showed significant growth, with the majority of grade levels outperforming the national norm for student growth according to NWEA Measures of Academic Progress.



## 2017-2018 Math MAP Growth



## 2017-2018 Language MAP Growth



### **School Climate Survey Data**

Each school year, STEM Academy surveys staff, students and parents to help identify areas of strength and growth. Overall school satisfaction was reported to be **97% by staff, 95% by students, and 96% by parents** in the most recent survey (June 2018).

#### **Participation Percentages**

Staff: 100%

Students: 90%

Parents: 75%

	Staff	Students	Parents
Organization	95%	92%	93%
Curriculum	95%	94%	98%
Instruction	100%	96%	97%
Assessment	95%	95%	97%
School Culture	99%	96%	96%
<b>Overall Satisfaction</b>	<b>97%</b>	<b>95%</b>	<b>96%</b>

### **Success of the Innovative Features of the Educational Program**

Fenton STEM Academy has provided students with a rigorous standards-based instructional program for students in transitional kindergarten through fifth grade. To ensure success for all students, the staff strives to maintain an emotionally secure environment in which children possess the confidence, stamina and perseverance required to master the challenging academic content and intricacies of the English language.

#### **Targeted Instruction Proven to Increase Student Achievement**

The instructional program of STEM Academy considers the diverse learners who require a thriving educational program that embodies social/emotional learning, acceleration, differentiated instruction, and depth and complexity. The Charter School's instructional focus is rooted in providing children with the following: 1) Systematic Response; 2) Time on Task; 3) Access to Resources; and 4) Results Measuring Progress.

##### **1) Systematic Response**

The Charter School will take on a medical triage approach to screen student need, apply appropriate tiered instruction, monitor student achievement, and revise application of instruction as needed. STEM Academy educators will universally screen all students during the first month of the school year utilizing publisher assessments in language arts and mathematics that measure what students are required to learn at the end of the year. Throughout the year, teachers will use formative and summative assessments to identify strengths and deficiencies preventing students from achieving grade level expectations.

Based on the analysis of summative and formative assessments, targeted intervention and acceleration will be provided. Targeted instruction will be provided to students at their level and address student specific needs, focusing on

skills needed to master grade level content in language arts, mathematics, and English language development. This accelerated instruction will take place during the instructional day and enable a wide range of services from general education teachers, special education teachers, support staff, and administration.

STEM Academy teachers and staff will implement data driven instructional practices to address the needs of the diverse learners. Examples include but are not limited to:

- Coordination of Services Team (“COST”). This team consists of at least one administrator, special education teacher, and two general education teachers who will meet regularly to review formative and summative assessment data on students demonstrating deficiencies prior to a Student Study Team (“SST”)

## **2) Time on Task**

This refers to the amount of time STEM Academy students will be engaged in a lesson. Taken into account for time on task, is wait time, optimal learning time, differentiation, student movement, and the gradual release of guided practice.

- Use of similarities and differences, think/pair shares, graphic/visual representation, and metacognitive strategies will be core components of STEM Academy 's instructional delivery.
- Increased articulation within grade level teams and across grade levels;
- Lead Teachers who act as grade level chairs and mentor teachers are nominated and elected by their peers, and approved by the Board of Directors;
- Grade level meetings will be scheduled during the regular day while students participate in a psychomotor program planned by teachers, supervised by administrators and implemented by paraprofessionals;
- Professional development will be dedicated to effective teaching practices, progress monitoring, and tiered intervention to meet the needs of high achievers, students on grade level, students at risk, and the social emotional needs of all students;
- Student volunteer program: Former Fenton students interesting in volunteering may inquire in the main office. Per volunteer requirements, including TB clearance, students may volunteer in classrooms under the guidance and supervision of the classroom teacher.
- Former STEM Academy students who are now in middle school and high school will volunteer in classrooms during their vacation time.

## **3) Access to Resources**

The Charter School provides students with a plethora of resources unique to most traditional public schools:

- Mutt-i-grees® Curriculum – STEM Academy teachers implement the Mutt-i-grees Curriculum and provide students with experiences that focus on SEL and Humane Education.

- Grade Level Curriculum - Students have the most current aligned state-adopted ELA/ELD curriculum, Benchmark Education: Benchmark Advance, and Mathematics curriculum, McGraw Hill: My Math; in addition to all of their integrated resources.
- Supplemental Instructional Materials – in its effort to provide a well-rounded curriculum and teaching that target all student modalities, STEM Academy teachers integrate the following supplemental instructional materials in their weekly, monthly, and yearly lesson/unit pacing: K-2 *Scholastic News* Magazines, iStation, and ESGI, 3-5 Freckle Education: Differentiation Platform, K-5 Mystery Science.
- School-wide and Grade Level Instructional Focus Areas - Grade levels will develop, implement, and engage in grade level instructional focus areas to improve student learning.
- Effective Teaching Strategies - Teachers will use graphic representation, think-alouds, and numerous other SDAIE strategies to engage students in critical thinking.
- Thinking Maps – Thinking Maps are eight essential thought processes defined and illustrated by graphic representations. With the implementation of Thinking Maps, teachers will provide students with the fundamental skills and tools necessary to be self-directed learners and independent thinkers.
- Use of Technology – STEM Academy teachers and other staff will effectively integrate technology into instructional programs, including but not limited to the use of: 1) Interactive Short-Throw Projectors; iPads; Macbook Air laptops; and MacBook desktop computers.

#### **4) Results Measuring Progress**

The Charter School prides itself in its ability to utilize student data throughout its educational program to target need, address student shortcomings, develop a plan of action, and implement strategies that breed growth and development in our students. Student achievement data will also provide additional insight into teacher effectiveness and will be utilized as one component within the teacher evaluation process

- Student achievement data will provide additional insight into teacher effectiveness and will be utilized as one component within the revised teacher evaluation process;
- Administration will meet with teachers during August for beginning of year goal setting meetings. These meetings will focus on assisting teachers to establish professional goals for the year and review the progress of student learning through an analysis of CAASPP data along with classroom summative and formative assessment data. Administration and teachers will continue to reflect and refine goals throughout the year through informal meetings and COST team meetings.
- Administration will meet with teachers during February for mid-year goal setting meetings to review professional goals and identify students in need

of intervention and enrichment. Teachers will review their current NWEA MAP Winter Assessment data and identify students for differentiated instruction.

- Lead Teachers from the Fenton Charter Public Schools will act as mentor teachers, grade level chairpersons, and provide peer assistance to teachers as needed. A yearly stipend of \$5,000 for each selected teacher recognizes the additional work and responsibility of the position;
- Cognitive coaching, completion of graduate degrees, additional credentials and National Board Certification are professional growth activities encouraged within the teacher evaluation system.
- Lead Teachers will strive to ignite a passion and implementation of effective teacher practices to encourage and maintain cutting edge teaching and learning.
- Teachers will participate in local, state and national conferences, workshops and seminars.

### **Positive Behavioral Interventions and Supports**

STEM Academy is committed to helping children grow academically, socially, and emotionally. In order for this to happen, it is imperative that we have an environment that is safe and conducive for growth. By setting forth clear social and behavioral expectations for everyone who enters our campus, and directly teaching students about those expectations, it is our goal to create a safe and positive atmosphere for optimal learning.

Our school-wide PBIS plan has four components:

- A behavioral expectations matrix
- Explicit teaching of the behavioral expectations
- An acknowledgement/reinforcement system
- A behavioral infraction notice

STEM Academy has three school-wide behavioral expectations:

- Be Safe
- Be Respectful
- Be Responsible

### **STEM Learning Model**

Fenton STEM Academy implements an integrated instructional learning model, which infuses Science, Technology, Engineering, and Mathematics across all subject matter. Fenton STEM Academy implements an elementary school curriculum modeled on the program started by Judith A. Ramaley, the former director of the National Science Foundation's education and human resources division. Science, Technology, Engineering and Mathematics education attempts to transform the typical teacher-centered classroom by encouraging a curriculum that is driven by five pedagogical techniques that support effective STEM instruction: inquiry-based learning,

thematic instruction, explicit instruction, cooperative learning, and co-teaching. The 5 Strands of Effective STEM Instruction that have been identified through a comprehensive review of the current educational research by the STEM Education Alliance at the College of William and Mary is the foundation of the instructional program. This approach to education is designed to revolutionize the teaching of subject areas such as mathematics and science by incorporating technology and engineering into the regular curriculum by creating a “meta-discipline” which requires students to actively engage a situation in order to find its solution. This approach is widely promoted at the secondary level to better prepare students for majors in the fields of mathematics, science and engineering. Fenton STEM Academy strives to deliver an innovative curriculum for the elementary grades that prepares students for the “meta-discipline” of science, technology, engineering and mathematics: STEM.

Feedback from teachers:

*I believe these innovative programs have opened doors for opportunities for students. They have allowed students to explore different possible job opportunities in the future, as well as allowing students to think outside of the box. Students are excited for these opportunities, and I truly believe it teaches them responsibility and holds them accountable for their innovative thinking as well as behavior.*

*Dominica Yasuda  
Kindergarten Teacher*

*The innovative programs at Fenton STEM Academy are successful because they promote student engagement and learning. My students perform better academically when STEM is integrated throughout the day. Also, behavior needs minimal involvement when I am able to incorporate STEM in all content areas.*

*Kelley Christenson  
First Grade Teacher*

*I feel that the integration of STEM learning has increased student achievement. Students are held to higher standards and their critical thinking skills are more thoroughly developed. I feel that our intensive science units allow students to be more investigative thinkers, to make deeper connections and to collaborate through group projects.*

*Alejandra Muñoz  
Fifth Grade Teacher*

In 2011, the California Department of Education issued a recommended approach to STEM education stating, “A nationally agreed upon definition for STEM education is currently lacking.” It defined STEM education as follows:

STEM education is a sequence of courses or program of study that prepares students, including underrepresented groups:

- for successful employment, post-secondary education, or both that require different and more technically sophisticated skills including the application of mathematics and science skills and concepts, and
- to be competent, capable citizens in our technology-dependent, democratic society.

Taken separately, the four STEM subjects are defined by the National Research Council as:

1. Science is the study of the natural world, including the laws of nature associated with physics, chemistry, and biology and the treatment or application of facts, principles, concepts, or conventions associated with these disciplines.
2. Technology comprises the entire system of people and organizations, knowledge, processes, and devices that go into creating and operating technological artifacts, as well as the artifacts themselves.
3. Engineering is a body of knowledge about the design and creation of products and a process for solving problems. Engineering utilizes concepts in science and mathematics and technological tools.
4. Mathematics is the study of patterns and relationships among quantities, numbers, and shapes. Mathematics includes theoretical mathematics and applied mathematics.

### **STEM Further Defined by Competencies**

While the STEM disciplines above define categories of knowledge, STEM is equally defined by learning strategies and competencies. It is strongly associated with skills, abilities, work interests, and work values (Carnevale, Melton, and Smith, 2011). Skills include foundational content skills, such as mathematics; processing skills, such as critical thinking and self-awareness; and problem solving skills, such as evaluating options and implementing solutions. Abilities are defined as enduring personal attributes that influence performance at work, such as creativity, innovation, reasoning, and oral and written communication. Work values are individual preferences for work outcomes, such as recognition, responsibility, or advancement. Work interests are defined as individual preferences for work environments such as environments that are artistic, enterprising, or conventional. There is a growing demand for these competencies throughout today's economy beyond the traditional STEM occupations, highlighting the importance of implementing a broad STEM strategy across K-12 education in America (Carnevale et al., 2011).

Moreover, readiness for a career in STEM is more than skills, abilities, work interests, and work values. It is a convergence of these with self-knowledge, adaptability, and a commitment to lifelong learning that make students ready to “*achieve a fulfilling, financially-secure and successful career*” in an “*ever-changing global economy*” (Career Readiness Partner Council, n.d.).



STEM education can be an interdisciplinary or trans-disciplinary approach to learning where rigorous academic concepts are coupled with real-world problem-based and performance-based lessons. At this level, STEM education exemplifies the axiom "the whole is more than the sum of the parts."

Fenton STEM Academy sees this as a call to action and ensures all students have access to a rigorous and relevant curriculum in an effort to prepare them for a STEM related career. Career exploration is embedded within the STEM instructional program. Students at Fenton STEM Academy are provided units of study connected to real life situations and experiences. Students are exposed to various careers within the STEM field and encouraged to research areas of study. STEM experts are frequently brought into the Charter School to share personal experiences and offer guidance for pursuing a career within the STEM field. Field trips are intentional opportunities to practice STEM skills in a real world setting.

Fenton STEM Academy strives to become a catalyst for stimulating real world industry and college/university mentoring relationships. Building partnerships with colleges, universities, aerospace and engineering outreach programs continues to remain a schoolwide focus. These partnerships provide real-world learning experiences, creating a foundation of STEM content knowledge that will prepare and inspire generations of learners to meet the challenges of the global society through innovation, collaboration, and creative problem solving.

In addition to connecting students to the outside world for STEM related occupations, Fenton STEM Academy reinforces our STEM learning model by introducing real world challenges within the classroom environment.

Once a month, students at STEM participate in a grade level "STEM Challenge." These challenges are aligned to grade level ELA or Mathematics lessons and infuse standards across multiple subject matter. Students are expected to solve real-world problems using the Engineering Design Process. Lessons are taught within a "5E" Instructional model, which helps students build their own understanding from experiences and new ideas.

The 5Es represent five stages of a sequence for teaching and learning: **Engage, Explore, Explain, Extend** (or **Elaborate**), and **Evaluate**.

**ENGAGE:** The purpose for the ENGAGE stage during a STEM Challenge is to pique student interest and get them personally involved in the lesson, while pre-assessing prior understanding. During this experience, students first encounter and identify the instructional task. During the ENGAGE stage, students make connections between past and present learning experiences, setting the organizational ground work for upcoming activities. STEM Challenges are designed to expose students to new concepts while utilizing students' prior understanding.

**EXPLORE:** The purpose for the EXPLORE stage is to get students involved in the topic; providing them with a chance to build their own understanding. In the EXPLORATION stage of a STEM Challenge, the students have the opportunity to get directly involved with phenomena and materials. As they work together in teams, students build a set of common experiences, which

prompts sharing and communicating. The teacher acts as a facilitator, providing materials and guiding the students' focus. The students' inquiry process drives the instruction during an exploration. Students are actively learning through inquiry-based science instruction and engineering challenges. Emphasis is placed on: Questioning, Data Analysis and Critical Thinking. STEM Challenges help students EXPLORE new topics on their own. Through self-designed or guided exploration students make hypotheses, test their own predictions, and draw their own conclusions.

**EXPLAIN:** The purpose for the EXPLAIN stage is to provide students with an opportunity to communicate what they have learned so far and figure out what it means. EXPLAIN is the stage at which learners begin to communicate what they have learned. Language provides motivation for sequencing events into a logical format. Communication occurs between peers, with the facilitator, and through the reflective process. Once students build their own understanding, they may use technology to help summarize their discoveries and learning. STEM Challenges often result in students able to explain complicated scientific phenomena.

**EXTEND:** The purpose for the EXTEND stage is to allow students to use their new knowledge and continue to explore its implications. At this stage students expand on the concepts they have learned, make connections to other related concepts, and apply their understandings to the world around them in new ways. STEM Challenges help students EXTEND and apply what they learned to new and unfamiliar situations.

**EVALUATE:** The purpose for the EVALUATION stage is for both students and teachers to determine how much learning and understanding has taken place. EVALUATE, the final "E," is an on-going diagnostic process that allows the teacher to determine if the learner has attained understanding of concepts and knowledge. Evaluation and assessment can occur at all points along the continuum of the instructional process. Some of the tools that assist in this diagnostic process are: rubrics, teacher observation, student interviews, portfolios, project and problem-based learning products. Students are excited to demonstrate their understanding through journals, drawings, models and performance tasks.

### **Success in Meeting the Needs of Students, Including Subgroups**

Below is an overview of a variety of local, state, and federal reviews that STEM has received to ensure we are meeting the needs of our various subgroups. We are pleased to share that all of our visits have demonstrated our ability to meet the needs of all our students.

### **Oversight Visits**

- \* LAUSD Oversight Visit (January 26, 2016) (4s in Governance; and Organizational Management, Programs and Operations)
- \* Charters Schools Development Center (May 31, - June 2, 2016) (Positive review of Public Charter School Grant Program implementation)
- \* LAUSD Oversight Visit (February 1, 2017) (4s in Governance; and Organizational Management, Programs and Operations)

- \* WASC Initial School Visit (May 1, 2017) (Positive review and Initial Three-Year WASC Accreditation)
- \* LAUSD Oversight Visit (February 1, 2018 (4s in Governance; Organizational Management, Programs and Operations; and Fiscal Operations)

## **Areas of Challenge and Plans for Improvement**

### **Shifting to New Standards and a New State Accountability System**

*“California officials are at a turning point as they begin a lengthy process of replacing the Academic Performance Index with a new system of measuring school and district performance and what the transformation might look like.” - John Fensterwald, EdSource*

As STEM Academy reflects on areas of challenge and plans for improvement, the shift to new standards and a new state accountability system are our focus. Classroom and school practices will be grounded in state standards and curricular frameworks. The Charter School will identify students’ level of college and career readiness, increase the individual capacity of teachers and school leaders and drive continuous improvement. We will encourage continuous improvement focused on student-level outcomes, using multiple measures for state and local priorities in an effort to ensure all of our students are working toward mastery of the Common Core State Standards.

STEM Academy students demonstrated increases in the percentages of students that “Met or Exceeded” ELA standards and decreases in the percentages of students that did “Not Met or Nearly Met” ELA standards in 2016 compared to 2015. This trend holds true for students schoolwide and among our significant subgroups (English Learners, Socioeconomically Disadvantaged, Latino and Students with Disabilities). STEM recognizes a strategic plan is necessary to increase the achievement of significant subgroups. This requires commitment to personnel, professional development, curriculum, technology integration, and monitoring student progress.

### **Personnel**

STEM Academy is committed to employing the following staff during the 2019-2024 charter term to ensure the academic success of the students we serve.

STEM Academy **Focus Leads:** STEM Academy has employed two well qualified teachers to serve students and staff in the areas of Science, Technology, Engineering, and Mathematics. Focus Leads will focus on design and implementation of a rigorous Robotics program, which includes after school courses utilizing the latest in robotic instructional tools and devices, as well as leading trainings centered on robotics in the elementary classrooms. Focus Leads will work with TK-5<sup>th</sup> grade teachers to align and implement computer science standards with a progression of standards and effective evaluation.

### **STUDENT POPULATION TO BE SERVED**

As a start-up charter school serving TK-fifth grade, interest and choice drive the enrollment and determine the diversity of the population, which does reflect the demographics of the surrounding 3 areas of Sun Valley, Sunland, Tujunga, Shadow Hills and the east San Fernando Valley area in general. The ethnic distribution of the Charter School is 1.00% Asian (3 students); 3.01% African American, not of Hispanic origin (9 students); 1.67% Filipino (5 students); 84.62% Hispanic (253 students); and 9.7% White not of Hispanic origin (29 students). Of the 299 currently enrolled students, 26.42% of students are English Learners, and 80.94% of students qualify for Free or Reduced Price Meals (“FRPM”).

#### **Enrollment Roll Out Plan**

<b>Grade</b>	<b>2019-2020</b>	<b>2020-2021</b>	<b>2021-2022</b>	<b>2022-2023</b>	<b>2023-2024</b>
<b>K (incl. TK)</b>	75	100	100	100	100
<b>1</b>	75	75	100	100	100
<b>2</b>	75	75	75	100	100
<b>3</b>	75	75	75	100	100
<b>4</b>	50	75	75	75	100
<b>5</b>	50	75	75	75	100
<b>Total</b>	400	475	500	550	600

Fenton STEM Academy operates an inclusive special education program with comprehensive services provided by high quality staff members. The following information describes the varied eligibilities existing at STEM.

**43 total SWD                      14% Special Education students                      12.7% Mod/Severe**

#### **Student Eligibilities**

<b>SLI</b>	<b>SLD</b>	<b>ED</b>	<b>OHI</b>	<b>ID</b>	<b>AUT</b>	<b>HOH</b>	<b>VI</b>
5	23	1	13	0	5	0	0

SLI – Speech Language Impairment

SLD – Specific Learning Disability

ED – Emotional Disturbance

OHI – Other Health Impairment

ID – Intellectual Disability

AUT – Autism

HOH – Hard of Hearing

VI – Visual Impairment

The students of Fenton STEM Academy are often initially drawn to the Charter School for the Science, Technology, Engineering, and Mathematics instructional model. Enrolled families express interest in the aspects of a STEM framework such as lessons centered on real world problems or issues, utilization of the engineering design process, hands-on inquiry and open-ended exploration, emphasis on teamwork, integration of science and mathematics across subject matter, and a classroom environment that offers rich possibilities for creative solutions.

STEM Academy is committed to serving a wide range of students that require a thriving program that embodies acceleration, differentiated instruction, and depth and complexity. STEM Academy educators believe it is essential to take a multifaceted approach to meet the needs of its diverse population. First, the Charter School will address the social and emotional needs of all students.

Second, STEM Academy's gifted and high achieving students will be provided with depth and complexity to differentiate instruction and accelerate learning. Third, STEM Academy students who are on grade level and approaching proficiency will be targeted in the critical instructional areas that will propel them for advancement in all areas. Finally, students struggling with basic skills will be targeted for support by a wide range of experts including STEM Academy administrators, resource specialists, school counselor, school psychologist, speech pathologist and classroom teachers.

- 1) **Social/Emotional Needs** – Abraham Maslow's hierarchy of needs suggest physiological and safety needs must be met before higher-level needs are satisfied. In this increasingly complex and stressful climate, a significant percentage of the student population require explicit attention paid to their social/emotional needs.<sup>1</sup> The Charter School will view our parents and the community as key participants in the education of our students. STEM Academy will develop reciprocal relationships that enrich and enhance students' experiences in and out of school.<sup>2</sup>

FCPS has partnered with Yale University to be the first California schools to become a "School of the 21st Century," a program geared to meeting the needs of students and their families through strong community/school relationships<sup>3</sup>. Finally, the Mutt-i-grees program of FCPS, also out of Yale University, helps create a safe learning environment by helping children become more kind, caring and compassionate to their friends, families and animals.

- 2) **High Achieving** – STEM Academy works diligently to implement a variety of strategies to identify and support gifted and talented students.<sup>4</sup> High achieving students are identified utilizing summative and formative classroom assessments, teacher observations, and performance on standardized assessments. Teachers design projects that engage students' higher order thinking skills, such as analyzing, evaluating and creating.
- 3) **On Grade Level** – STEM Academy maintains a thriving high quality educational program.<sup>5</sup> This all begins with exceptional teachers who have wholly committed themselves to the success of their children, and have left the traditional comforts and security provided by traditional public schools to work at STEM Academy. Teachers meet in the beginning and middle of the school year with administration during

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1 Durlak, J. A., Weissberg, R. P., Dymnicki, A. B., Taylor, R. D., & Schellinger, K. B. (2011). *The impact of enhancing students' social and emotional learning: A meta-analysis of school-based universal interventions*. Child Development, 82, 405-432

<sup>2</sup> Yale Center in Child Development and Social Policy (2003). *Portraits of four schools meeting the needs of immigrant students and their families*. New Haven, Connecticut.

<sup>3</sup> Henrich, C.C., Ginicola, M.M., & Finn-Stevenson, M. (2006). *The school of the 21st century is making a difference: Findings from two research studies* (Issue Brief). New Haven, CT: Yale University, School of the 21ST Century (21C) Program.

<sup>4</sup> Kaplan, S. (2009). *Myth 9: There Is a Single Curriculum for the Gifted*. Gifted Child Quarterly, 53, 257-258

<sup>5</sup> Marzano, R.J., Pickering, D., Pollock, J.E. (2001). *Classroom instruction that works: Research-based strategies for increasing student achievement*. Alexandria, VA: ASCD.

Professional Goal Setting Conferences to analyze summative assessment data and to identify strengths and weakness along with setting goals for the year. Teachers routinely use data, research, and standards-based curriculum to help children achieve. Teachers meet biweekly with one another at their grade level and across grade levels to share best practices with one another. Strategic plans are rooted in frequent assessments to monitor student achievement and provide targeted instruction.

- 4) **At Risk** – STEM Academy provides children with prevention and intervention strategies. Teaching strategies are rooted in a systematic approach to respond to student need.<sup>6</sup> Students are identified through a multifaceted approach utilizing summative and formative classroom assessments, teacher observations, parent input, and performance on standardized assessments, including CAASPP and the ELPAC. STEM Academy will modify instruction, target specific skills, provide small group instruction, and reach out for support services as needed.<sup>7</sup> The Charter School will use a variety of assessments to monitor and inform instructional decisions. The special needs students STEM Academy serves include eligibilities of autism, specific learning disability, speech and language impairment, hearing impairment, developmental delay, and other disabilities.

### **GOALS AND PHILOSOPHY**

*The mission of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math is successful student engagement and achievement through the implementation of a curriculum that interconnects science, technology, engineering, and math across all disciplines, including art, music, language arts and social studies.*

All members of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math community are responsible for the school-wide vision of the building of partnerships with colleges, universities, aerospace and engineering outreach programs to provide real-world learning experiences, creating the foundation for future pursuit of STEM education which will prepare and inspire generations of learners to meet the challenges of the global society through innovation, collaboration, and creative problem solving.

- The **students** of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math will actively seek learning opportunities by working cooperatively, thinking critically, and striving to master rigorous academic standards.
- The **students, parents and employees** of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math will collaboratively establish and model the highest standards for student achievement, positive self-esteem, pro-social values, and respect for cultural diversity.

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<sup>6</sup> Cynthia E. Coburn & Erica O. Turner (2011) *Research on Data Use: A Framework and Analysis*. Measurement: Interdisciplinary Research and Perspectives, 9:4, 173-206, DOI: 10.1080/15366367.2011.626729.

<sup>7</sup> Hall, L. (2012). *Moving out of Silence: Helping Struggling Readers Find Their Voices in Text-Based Discussion*. Reading and Writing Quarterly 28: 307-332.

- The **employees** of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math will demonstrate their belief in the value of lifelong learning and model the appropriate and desired behaviors and attitudes expected of students.
- Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math **community** will work cooperatively and collaboratively to create a child-centered environment in which all partners are empowered by their own sense of ownership and responsibility to the Charter School.
- Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math **community and partners** will maintain the highest level of integrity in fiscal management while seeking all available resources and using them effectively to support the instructional program.

### **An Educated Person of the 21st Century**

The human contributors of the 21st century will be those who learn to be self-directing and accountable. Fenton STEM Academy believes that educated persons in the 21<sup>st</sup> century will work cooperatively to achieve innovative answers to difficult questions for the benefit of society. They will have an acute awareness of global perspective and responsibility, and be able to look at themselves and others in a variety of ways. They will have knowledge of literature, mathematics, history, science, technology, engineering, design and the arts, and they will have mastered the skills and developed the values required to become contributing members of a democratic society. All of these skills and attributes are taught at Fenton STEM Academy.

STEM Academy has defined academic standards and college and career-readiness standards for each subject area. The Common Core State Standards will continue to define the skills, knowledge and abilities students will be expected to master TK through sixth grades. Current state adopted textbooks and materials, and other supplementary resources, will establish the scope and sequence for each of the curricular areas.

### **Technology Accomplishments:**

In an effort to prepare all students for college-and-career readiness, STEM Academy provides state-of-the-art audio-visual equipment in every classroom. The interactive projection unit sits above a 4'X8' whiteboard mounted in the front of the classroom. This placement is ideal for classrooms, since it reduces the amount of shadow that results from standing in front of the image. Due to its close proximity to the whiteboard surface, the projector's ultra-short throw is less likely to be impacted by ambient light. This means the projected image will retain its vivid crisp qualities, even with the lights on. This system also includes two Infrared microphones per classroom. Since Infrared is a line-of-sight technology, teachers can utilize their voice amplification system without experiencing interference and spillover from adjacent classrooms. The pendant transmitter units work interchangeably with other. This allows teachers to take their transmitter from one classroom to another for team teaching. Additionally, newer Elmo units with HDMI output for higher resolution and greater clarity have been installed. The new equipment will be housed on a metal Luxor AV mobile cart. Since the cart is equipped with casters, teachers can position the cart in a

manner that allows them to have their laptop within arms reach of the whiteboard. This type of arrangement is ideal when using the interactive functionality of the projection unit.

### **How Learning Best Occurs**

Research on brain development reveals five learning systems: emotional, social, cognitive, physical and reflective. These learning systems are equally influenced by a child's genetic make-up and the personal experiences and learning opportunities provided by the home and school. Although all systems are key to successful learning, the emotional system is of primary significance. In a classroom lacking emotional security and personal relevance, effective learning will not flourish.

Daniel Goleman supports this view, defining emotional intelligence as "...a different way of being smart" (*Emotional Intelligence*, 2006). Brain studies reveal that memory is coded to specific events and linked to emotional situations that determine what is retained and learned.

"Without question, emotions are linked to attitude, motivation, persistence, perseverance, and self-worth. Thus emotion drives personal qualities that dramatically affect a student's success or failure at school."

Barbara K. Given

*Teaching to the Brain's Natural Learning Systems*, 2002

These factors influence Fenton Charter Public Schools' belief that learning best occurs in an environment that fosters the development of the five systems of the brain and that maintains a genuine atmosphere of emotional security. Additionally, Fenton STEM Academy recognizes the importance of fostering a strong home-school connection and will collaborate with parents to create a harmonious social learning environment. Research indicates that when parents, teachers and students maintain positive attitudes towards school and a genuine respect for one another, the student's potential for academic and lifelong success are enhanced.

"Increasingly, competence in recognizing and managing emotions and social relationships is seen as a key ability for success in the workplace and for effective leadership. School and parents play an essential role in preparing knowledgeable, responsible, caring adults."

Maurice J. Elias, et al.

*Promoting Social and Emotional Learning*, 1997

Charlotte Danielson, in describing the four domains of teaching, defines the second domain, the Classroom Environment, as consisting of the interactions which occur in a classroom. It is this domain, which cultivates a culture of learning and creates a safe place for risk-taking.

"When students remember their teachers years later, it is often for the teacher's skill in Domain 2. Students recall the warmth and caring their favorite teachers demonstrated, the high expectations for achievement, and the teacher's commitment to their students. Students feel safe with these teachers and know that they can count on the teachers to be fair and, when necessary, compassionate.



Teachers who excel in Domain 2 consider their students as real people, with interests, concerns, and intellectual potential. In return, the students regard them as concerned and caring adults and entrust the teachers with their futures...These teachers are indisputably in charge, but their students regard them as a special sort of friend, protector, a challenger, someone who will permit no harm.”

*Enhancing Professional Practice: A Framework for Teaching*

Charlotte Danielson

*Enhancing Professional Practice: A Framework for Teaching*, 2011  
2<sup>nd</sup> Edition

Fenton STEM Academy will strive to maintain an emotionally secure environment in which children possess the confidence, stamina and perseverance required to master the challenging academic content of the California Common Core State Standards and the intricacies of a curriculum driven by problem solving, discovery and exploratory learning.

To promote a school-wide atmosphere in which “learning best occurs,” *Discipline with Dignity* will serve as the philosophical basis for Fenton STEM Academy and student behavior policy. *Discipline with Dignity*, developed by Richard Curwin and Allen Mendler, is a flexible program for effective school and classroom management that builds student self-esteem and encourages responsible behavior. This program will be used in conjunction with the Mutt-i-grees™ Curriculum, which fosters the development of pro-social behaviors and calm, confident, caring kids. Teachers, staff, and administration will employ techniques and strategies that enable children to make responsible decisions in and out of their classroom. Teachers will develop contracts with the class on established norm behaviors and monitor the progress of students in maintaining their behavior. Responding to students with dignity is core to this program, as it fosters student responsibility, motivation, and engagement.

The FCPS organization has also held workshops for teachers with Rick Morris to refine classroom management and learn about student motivation. The purpose of the workshops is to give the teaching staff classroom management strategies that impact the students’ level of engagement to enhance their learning.

### **School Goals**

The goals of Fenton STEM Academy enable all students to become self-motivated, competent and lifelong learners by addressing all aspects of the child’s development: emotional, social, cognitive, physical and reflective. The goals also place specific emphasis on the development of early literacy and strong English language development. All goals are supported by extensive research on brain development and mastery of early reading skills (National Reading Panel, 2000; Jensen, 2005; Trawick-Smith, 2014; Dweck, 2016; Seidenberg, 2017).

The Charter School’s goals have also been carefully developed to align with the WASC schoolwide learner outcomes. It is critical for Fenton STEM Academy to align all of its goals from a variety of plans (Charter, LCAP, LEA, Title III, and WASC) focused on the original vision of the Charter School. STEM has followed its plans and goals from the initial charter in 2013 to the current renewal. During this time the Charter School’s focus has been to provide a quality

education to primary age students with a focus on improving literacy while also considering the social and emotional level of primary age students. With this, the Charter School's underlying goals have always considered the performance of all critical subgroups. Most importantly, the Charter School focuses on the development of the English learner population and the developmental needs of the students it serves.

### **Schoolwide Learner Outcomes**

The *Schoolwide Learner Outcomes* ("SLO") identify the skills, knowledge and competencies expected of all students enrolled in Fenton Charter Public Schools. The SLOs are aligned with the specific goals set forth in the STEM Academy charter petition and were designed with input from parents, community and staff.

***Charter Goal 1:***      **Students will strive to master the rigorous academic content of the Common Core State Standards, and think critically and reflectively about their academic success, accepting personal responsibility for improvement.**

***SLO 1:***      Every STEM Academy student will be an academic achiever with the following:

- Able to read and comprehend, and effectively communicate ideas, opinions and information orally and in writing.
- Able to demonstrate mathematical, logical and reasoning skills and the ability to apply those skills in a variety of contexts.

***Charter Goal 2:***      **Students will build a foundation for a responsible work ethic by regular and punctual attendance.**

***SLO 2:***      Every STEM Academy student will be a self-directed learner with the following:

- Able to exhibit good study habits that include regular and punctual school attendance and effective time management to accomplish tasks.

***Charter Goal 3:***      **Students will master English language skills to fully access all educational, social, cultural and employment opportunities of mainstream society.**

***SLO 3:***      Every STEM Academy student will be an effective communicator with the following:

- Develop their English language to help them acquire the fundamental reading skills necessary to become academically competent.
- Able to use reading, writing, speaking and listening skills to communicate accurately with others.

***Charter Goal 4:*** **Students will demonstrate pro-social behavior with a sense of responsibility to their peers, home and community.**

***SLO 4:*** Every STEM student will be a responsible citizen with the following:

- Able to demonstrate healthy, responsible behavior and work collaboratively in a diverse community.
- Learn basic schoolwide behavior rules and develop social and emotional intelligence to be successful learners and members of our community and society.

## LCFF STATE PRIORITIES

### GOAL #1

## LCAP GOAL 1: INCREASE STUDENT ACHIEVEMENT

#### Related State Priorities:

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

#### Local Priorities:

- ☐ :  
☐ :

### Specific Annual Actions to Achieve Goal

#### Action 1:

- ❖ Purchase additional technology for classrooms to further expand technology integration and improve student achievement on the annual CAASPP.
- ❖ Provide highly qualified educational support personnel (Education Specialist teachers, School Psychologist, School Counselor, Speech Pathologist, Coordination of Services Team) who will implement data-driven instruction and differentiation based on student need through continuous monitoring of instruction and student achievement data
- ❖ Provide GATE differentiated instruction, depth and complexity for students identified via yearly gifted identification.
- ❖ Provide technology support and resources for instructional staff to continuously monitor student achievement through online and paper-based interim assessments, ELD Folders, COST/SST meetings, and other assessments and protocols
- ❖ Provide additional support and intervention services for students including counseling/psycho-social support, after-school tutoring and enrichment

#### Action 2:

- ❖ Provide highly qualified educational support personnel (Education Specialist teachers, Psychologist, School Counselor, Speech Pathologist, Coordination of Services Team) who will implement data-driven instruction and differentiation based on student need through continuous monitoring of instruction and student achievement data
- ❖ Provide GATE differentiated instruction, depth and complexity for students identified via yearly gifted identification. -Provide technology support and resources for instructional staff to continuously monitor student achievement through paper and online benchmark assessments, ELD Folders, COST/SST meetings, and other assessments and protocol
- ❖ Provide additional support and intervention services for students including counseling/psycho-social support, after-school tutoring and enrichments
- ❖ Provide Progress and Monitoring of Subgroups using Illuminate Data & Assessment and NWEA MAP Assessments allow STEM to monitor subgroups for every core content area.

**Action 3:**

- ❖ Provide appropriate intervention and support for EL students via technology-based and differentiated instruction, intervention support, enrichment and progress monitoring with ELD folders and formative EL assessment.
- ❖ Provide professional development activities focused on ELD for EL students
- ❖ Provide new teacher assistance and support, specifically relating to EL
- ❖ Provide highly qualified and experienced teachers who have appropriate EL authorization who will continuously monitor instruction and achievement of ELs
- ❖ Implement the STEM English Learner Master Plan.

**Action 4:**

- ❖ Implement the STEM English Learner Master Plan
- ❖ Highly qualified and experienced teachers who have appropriate EL authorization who will continuously monitor instruction and achievement of ELs
- ❖ Provide new teacher assistance and support, specifically relating to ELs. Provide professional development activities focused on ELD for EL students
- ❖ Provide appropriate intervention and support for EL students via technology-based and differentiated instruction, intervention support, enrichment and progress monitoring with ELD folders and EL Formative Assessment.

**Action 5:**

- ❖ Participation rate on CAASPP will be above 95%. Assessment results from NWEA MAP & Benchmark Advanced data analysis will be used to drive instruction promote academic growth.

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**Expected Annual Measurable Outcomes**

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**Outcome #1:** School will show annual progress toward meeting the needs of all students on the California School Dashboards Status and Change Report and Equity Report

**Metric/Method for Measuring:** Percentage of students meeting or exceeding the standard as reported through the California Assessment for Student Performance and Progress system (CAASPP)

**Outcome #2:** English Language Learner students will advance at least one performance level descriptor(PLD) on the Summative English Language Proficiency Assessment for California (ELPAC)(or other available external and internal assessments) each year.

**Metric/Method for Measuring:** Percentage of students advancing one performance level on the Summative ELPAC.

**Outcome #3:** EL reclassification rate will meet or exceed the Districts reclassification rate

**Metric/Method for Measuring:** Percentage of students meeting year to year local RFEP criteria as guided by SBE Reclassification Guidance

**Outcome #4:** All students will demonstrate progress toward meeting (or above) of grade level Common Core State Standards on internal comparative data.

**Metric/Method for Measuring:** All students demonstrate progress toward meeting (or above) of grade level on internal comparative data as detailed by NWEA MAP formative assessments results.

**Outcome #5:** All students will have access to academic and educational enrichment programs as outlined in the Charter School's charter

**Metric/Method for Measuring:** 100% of students have access to academic and educational enrichment programs as outlined in the Charter School's charter.

**Outcome #6:** All students will have access to standards- aligned (including Common Core) materials and additional instructional materials as outlined in our charter petition.

APPLICABLE STUDENT GROUPS	Baseline	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
All Students (Schoolwide)	ELA – 44% Math – 36%	2% increase above baseline	4% increase above baseline	5% increase above baseline	6% increase above baseline	7% increase above baseline
Latino Students	ELA – 43% Math – 33%	2% increase above baseline	4% increase above baseline	5% increase above baseline	6% increase above baseline	7% increase above baseline
English Learners	ELA – 7% Math – 7%	2% increase above baseline	4% increase above baseline	5% increase above baseline	6% increase above baseline	7% increase above baseline
Socioeconomically Disadvantaged/ Low Income Students	ELA – 42% Math – 30%	2% increase above baseline	4% increase above baseline	5% increase above baseline	6% increase above baseline	7% increase above baseline
Foster Youth	Not a Numerically Significant Subgroup					
Students with Disabilities	Not a Numerically Significant Subgroup					
African American Students	Not a Numerically Significant Subgroup					

## LCFF STATE PRIORITIES

### GOAL #1

## LCAP GOAL 2: INCREASE MEANINGFUL AND PURPOSEFUL STUDENT, TEACHER, AND PARENT ENGAGEMENT

#### Related State Priorities:

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

#### Local Priorities:

- ☒: Charter Goal 2  
☒: Charter Goal 4

### Specific Annual Actions to Achieve Goal

#### Action 1:

- ❖ Parents will receive more frequent and clear communications about school meetings and events through multiple modes of communication: website, teacher websites, Google email, newsletters, flyers, annual Handbook and an annual calendar of meetings and events.
- ❖ The Family Center will continue to be staffed during the school year and parents will be invited to monthly parent events including an annual Open House, Parent Orientation Meetings, Student Awards Assemblies and class and school performances.
- ❖ Parents will be strongly encouraged to attend twice annual parent teacher conferences. All parents will be encouraged to run for elected positions on the FCPS Board of Directors, the governance councils, and to attend meetings of these groups

#### Action 2:

- ❖ STEM Academy will continue operation of Family Center with staffing and multiple parent communications and meetings to ensure a strong home-school connection.
- ❖ Implementation of After School Programming
- ❖ Improvement of technology communication through the web for parents (Bright Arrow, Google email, and website)
- ❖ Continue to host community- building events and culminating celebrations. Campus security
- ❖ Charter School will hold annual night informational meetings and school events yearly.

#### Action 3:

- ❖ Attendance Manager will continue to monitor student attendance and communicate with families.
- ❖ Assistant Director and/or Administrative Coordinator will continue parent outreach and communicating the importance of attendance and arriving at school on time each day

#### Action 4:

- ❖ Parent outreach and communications will continue to stress the importance of attendance and arriving at school on time each day.

- ❖ Charter School will continue to implement social-emotional curriculum (Mutt- i-Grees), PBIS Training to incentivize learning

### Expected Annual Measurable Outcomes

**Outcome #1:** Charter School will continue to provide multiple opportunities for parent involvement in school life and ease of home-school communication.

**Metric/Method for Measuring:** Charter School will continue to provide multiple opportunities for parent involvement in school life and ease of home-school communication as evidence by sign-in sheets, event agendas, and home-school communication documents.

**Outcome #2:** Charter School will continue to engage parents and students as valued stakeholders in decision- making, and continue to provide programs and resources that support families and enhance the school community.

**Metric/Method for Measuring:** As evidenced through yearly school feedback surveys, the Charter School will continue to engage parents and students as valued stakeholders in decision- making, and continue to provide programs and resources that support families and enhance the school community.

**Outcome #3:** Charter School will continue to maintain an ADA rate above 95%.

**Metric/Method for Measuring:** Charter School will continue to maintained an ADA rate above 95% as measured by P1 and P2 reporting.

**Outcome #4:** Charter School will continue to maintain a low suspension rate < 1%. Charter School will continue to maintain a low expulsion rate < 1%.

**Metric/Method for Measuring:** Charter School will continue to maintain a “very low” suspension and expulsion rate < 1% as measured by the CA School Dashboard – Suspension Status and Change Report.

APPLICABLE STUDENT GROUPS	Baseline	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023
All Students (Schoolwide)						



## LCFF STATE PRIORITIES

### GOAL #3

## LCAP GOAL 3: ENSURE A BASIC CONDITION FOR LEARNING

#### Related State Priorities:

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

#### Local Priorities:

- ☒: Charter Goal 2
- ☒: Charter Goal 4

### Specific Annual Actions to Achieve Goal

#### Action 1:

- ❖ The Charter School will ensure verification of proper credentials prior to start of employment.

#### Action 2:

- ❖ STEM will fully implement the Common Core State Standards (“CCSS”) in language arts and mathematics, with the addition of a new math series, McGraw-Hill My Math (TK-5), in 2015-2016 and Benchmark Education’s Benchmark Advance program (TK-5), a CCSS aligned and state approved literacy program, in 2016-2017.
- ❖ Continue to provide students with state approved standards-based materials.

#### Action 3:

- ❖ Continue risk management site inspections of campus by property and liability carrier.
- ❖ Correct all areas identified in need of repair or replacement.

#### Action 4:

- ❖ Install additional security cameras inside and outside of facility
- ❖ Install secure entrance and buzzer system in entryway
- ❖ Install delayed exit back door system

#### Action 5:

- ❖ Professional Development will be provided in the areas of:
  - English Language Arts
  - Math
  - Next Generation Science Standards (“NGSS”)
  - English Language Development (“ELD”)
  - Technology
  - Differentiated instruction

**Expected Annual Measurable Outcomes**

**Outcome #1:** All classroom teachers will hold a valid CA Teaching Credential as defined by the CA Commission on Teaching Credentialing and appropriate EL authorization; all teachers will be appropriately assigned.

**Metric/Method for Measuring:** Teacher documentation housed in FCPS Business Office.

**Outcome #2:** Teachers will participate in ongoing research-based professional development in the areas of English Language Arts, Math, NGSS, ELD, Technology, and Differentiated instruction to meet the needs of all students and subgroups.

**Metric/Method for Measuring:** Teachers will participate in ongoing research-based professional development in the areas of English Language Arts, Math, NGSS, ELD, Technology, and Differentiated instruction to meet the needs of all students and subgroups as evidenced by agendas, and sign-ins.

**Outcome #3:** Continue to provide students with state approved standards-based materials.

**Metric/Method for Measuring:** Charter School materials ordering history and curriculum approvals on advisory committee meetings minutes.

**Outcome #4:** 100% of ELs will have full access to CCSS-aligned curriculum as they develop EL proficiency.

**Metric/Method for Measuring:** Charter School materials ordering history and curriculum approvals on advisory committee meetings minutes.

**Outcome #5:** Charter School facilities are clean and maintained in good repair with daily spot check and Site Inspection Lists with > 90% of items in compliance or good standing.

**Metric/Method for Measuring:** Charter School facilities are clean and maintained in good repair as evidenced by regular maintenance and custodial meetings and facilities checklists.

**Outcome #6:** Charter School facilities are safe and secure for students and staff.

**Metric/Method for Measuring:** Charter School facilities are safe and secure for students and staff as evidenced by student, teacher, and community input.

APPLICABLE STUDENT GROUPS	Baseline	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023
All Students (Schoolwide)	The Charter School will measure its progress over the 5-year charter term toward ensuring a Basic Condition for Learning through the dispersal of student, teacher and parent feedback surveys, student progress toward meeting curricular goals, and review of advisory committee minutes and decision-making.					

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## INSTRUCTIONAL DESIGN

### **Overall Curricular and Instructional Design**

Teachers, not curriculum, have the greatest impact on student achievement. In a report on “The Real Value of Teachers,” the *Education Trust* cites a study by W.L. Sanders and J.C. Rivers (1996), which indicates that:

“So large was the impact of teachers on student learning that it exceeded any one thing about the students themselves...teacher effectiveness is the ‘single biggest factor influencing gains in achievement,’ an influence bigger than race, poverty, parent’s education, or any of the other factors that are often thought to doom children to failure.”

FCPS recognizes the critical role the teacher plays in determining a student’s success or failure. Teachers of STEM Academy will design learning experiences that are delivered in direct, whole group instruction, as well through individual and small group instruction, all implemented to meet the needs of our diverse student body.

### **Cohesive Instructional Program:**

STEM Academy will implement a cohesive instructional program rooted in providing children with a systematic response, time on task, access to resources, and results that measure progress. Research suggests strategic instructional practices have increased student achievement among struggling readers, students of low socioeconomic status (“SES”), racial minorities, and English Learners.<sup>8</sup>

A cohesive instructional program is most notably known to implement procedural steps based on diagnostic feedback, use of scientifically-based curriculum, frequent progress monitoring, modification of instruction based on student outcomes, and instructional delivery based on outcomes of the intervention in place. A strategic instructional program requires a multi-tiered model of instructional delivery responding to the individual need of each child.<sup>9</sup>

### **Core Components of a Cohesive Instructional Program:**

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<sup>8</sup> Fisher, D., Frey, N, and Hattie, J., (2016). *Visible Learning for Literacy: Implementing the Practices That Work Best for Accelerate Student Learning, Grades K-12*, Thousand Oaks, CA.

<sup>9</sup> Fullan, M. and Quinn, J., (2016) *Coherence: The Right Drivers in Action for Schools, Districts, and Systems*, Thousand Oaks, CA.

The systematic teacher practices of a cohesive instructional program include: 1) Use of Standards Based Curriculum; 2) Universal Screening; 3) Progress Monitoring; and 4) Tiered Interventions. The systematic practices are rooted in researched based components to effectively improve the academic achievement of low socioeconomic status, racial minorities, English Learners, and students with disabilities.<sup>10</sup>

The reflective leadership practices required for implementation of a cohesive instructional program include: 5) Commitment; 6) Professional Development; 7) Leadership; and 8) Harmony with Special Education. These practices are reflective of the organic nature of schools and the learners within them.

### *Systematic Practices*

Consistent in the literature are CCSS characteristics of a cohesive instructional program. These are tangible indicators and measurements that can be graphed on a wall and displayed for all support staff to continually monitor and improve their practice. These are action strategies that are expected to have positive results in improving student achievement.

#### *1) Use of Standards Based Curriculum*

A cohesive instructional program is rooted in equipping all students with the appropriate grade level curriculum. Teachers present information through a personalized delivery of instruction to meet the needs of their students. Granting students a reliable high quality instruction helps bridge the gap in cultural capital between students of low and high socioeconomic status.<sup>11</sup> A systematic approach begins with the child's classroom teacher and a relationship that builds a connection to the child. It is at this point where a child learns about success or failure. By providing all children with best practices and standards based curriculum, the child will begin the path to a successful academic experience.

#### *2) Universal Screening*

The second core component of a systematic approach is a method for the universal screening of students to establish baseline data. Universal screening will be most effective when teachers use these assessment measures to guide their instruction and inform their practice.<sup>12</sup> Universal screening enables teachers to identify strengths and weaknesses of student learning and of their own ability to deliver instruction in a concrete manner for student understanding.

#### *3) Progress Monitoring*

Progress monitoring is an extension of universal screening and is used by classroom teachers and support personnel to monitor student progress of students who show signs of struggling with proficiency. Frequent data collection enables teachers to monitor student

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<sup>10</sup> Martinez, R.S., Nellis, L.M., & Prendergast, K.A. (2006). *Closing the achievement gap series: Part II response to intervention (RTI)—Basic elements, practical applications, and policy recommendations*. Education Policy Brief, 4(8). Bloomington, IN: Center for Evaluation & Education Policy.

<sup>11</sup> Mellard, D.F., Byrd, S.E., Johnson, E., Tollefson, J.M., & Boesche, L. (2004). Foundations and research on identifying model responsiveness-to-intervention sites. *Learning Disabilities Quarterly*, 27, 243-256.

<sup>12</sup> Kilpatrick, D. (2015). *Essentials of Assessing, Preventing, and Overcoming Reading Difficulties*, Hoboken, NJ.

growth between summative assessments. This formative assessment tool not only documents student progress, but also enables the teacher and student to understand what instructional methods are successful on an individual basis. If a student is not successful with the current intervention in place, the teacher is able to adjust instruction to accommodate student need. Schools implementing a systematic approach to progress monitoring have shown evidence of being able to ignite a culture of continuous improvement.<sup>13</sup>

#### *4) Tiered Intervention*

Problem solving is a necessary component of the tiered intervention approach. It is composed of four basic steps: 1) Define the problem; 2) Analyze why it is happening; 3) Develop a plan to solve the problem; 4) Evaluate if the plan worked.<sup>14</sup> The problem solving approach begins to transcend into the reflective nature of a cohesive instructional program by analyzing the systematic approaches using standards based curriculum, universal screening, progress monitoring, and tiered intervention.<sup>15</sup>

### *Reflective Practices*

Successful school reform efforts have been able to overcome obstacles that most schools have been unable to accomplish. School reform efforts have largely been unsuccessful because they treat schools as if they are mechanical, not living organic entities.<sup>16</sup> The following four practices are viewed as reflective practices necessary to ensure that systematic practices are implemented.

#### *5) Commitment*

Frequently missing from the implementation of a cohesive instructional program is the critical component of commitment. Most of the research on systematic instructional practices validates and supports its success, but often lacks the need to have teacher buy in. A successful instructional program requires the empowering of school members with inquiry into their own practice to stimulate growth and commitment to the instructional approach. Creating an atmosphere of trust and collaboration enables change and empowers commitment to the new practice.<sup>17</sup>

#### *6) Professional Development*

Professional development is fundamental to the implementation of a cohesive instructional program due in large part because it requires a change not only in how teachers think, but what they do. Teachers will be familiar with new change initiatives that require them to change the instruments in which they teach, but they typically do not alter their

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<sup>13</sup> Stecker, P. M. (2007). Tertiary intervention: Using progress monitoring with intensive services. *Teaching Exceptional Children*, 39(5), 50-57.

<sup>14</sup> Tilly III, W. D. (2002). Best practices in school psychology as a problem-solving enterprise. In A. Thomas & J. Grimes (Eds.), *Best practices in school psychology IV* (pp. 21-36). Bethesda, MD.

<sup>15</sup> Fuchs, D., Mock, D., Morgan, P. L., & Young, C.L. (2003). Responsiveness-to-intervention: Definitions, evidence, and implications. *Learning Disabilities. Research & Practice*, 18, 157-171.

<sup>16</sup> Snyder, K.J., Acker-Hocevar, M., Snyder, K.M. (2000) *Living on the edge of chaos: Leading schools into the global age*. Milwaukee: ASQ Quality Press.

<sup>17</sup> Poole, S. and Kemp, K. (2018). *MTSS: Collaborative Implementation: How it Works, What it Takes*, Chicago, IL.

fundamental practice of teaching.<sup>18</sup> A cohesive instructional program is even more complicated because it requires a second order change that exists outside of their current paradigm for meeting the needs of diverse learners. Sustained technical assistance is needed to enact school reform efforts. Allocating time and resources to equip teachers with targeted assistance during professional development helps to ensure the adoption and implementation of research based practices.

#### 7) Leadership

The implementation of a cohesive instructional program requires successful and strong leadership by administration and lead teachers. A school reform effort flourishes or dwindles based on the ability of school leadership to ensure the goals are put into practice. A successful and strong leadership team will be able to establish a positive climate for student learning, provide professional development, manage resources, and provide accountability to ensure action is in alignment with what is espoused.<sup>19</sup>

#### 8) Harmony with Special Education

A strong trusting relationship with the special education support staff and general education staff is fundamental for the successful implementation of a cohesive instructional program. This harmony enables schools to implement a system of early interventions to students in the manner that works to meet their individual needs. A harmony between special education staff and general education classroom teachers is vital to share their collective expertise on assessment, instruction, and strategies to provide an equitable education to all students.<sup>20</sup>

### CURRICULUM AND INSTRUCTION

The CCSS, NGSS and Content Standards for California Public Schools will continue to define the skills, knowledge and abilities students are expected to master from kindergarten through fifth grades. The core subjects at Fenton STEM Academy are English language arts, mathematics, history-social science and science. Current state adopted textbooks and materials, and other supplementary resources, establish the scope and sequence for each of the following curricular areas. STEM Academy implements the state's CCSS.

The table below specifies the subjects by grade level for each core content area:

Grade	English Language Arts	Mathematics	History-Social Science	Science
	•Reading: Literature	•Counting and Cardinality	•Learning and Working	•Physical Sciences •Life Sciences

<sup>18</sup> Hattie, J. (2009). *Visible Learning: A Synthesis of Over 800 Meta-Analyses Relating to Achievement*, London.

<sup>19</sup> Kafele, B. (2015). *The Principal 50: Critical Leadership Questions for Inspiring Schoolwide Excellence*, Alexandria, VA.

<sup>20</sup> McLaughlin, M. J., & Rhim, L. M. (2007). Accountability frameworks and children with disabilities: A test of assumptions about improving public education for all students. *International Journal of Disability, Development and Education*, 54, 25–49.

<b>Transitional Kindergarten</b>	Informational Text •Foundational Skills •Writing •Listening and Speaking •Language	•Operations and Algebraic Thinking •Numbers and Operations in Base Ten •Measurement and Data •Geometry	Now and Long Ago	•Earth Sciences •Investigation and Experimentation
<b>Kindergarten</b>	•Reading: Literature and Informational Text •Foundational Skills •Writing •Listening and Speaking •Language	•Counting and Cardinality •Operations and Algebraic Thinking •Numbers and Operations in Base Ten •Measurement and Data •Geometry	•Learning and Working Now and Long Ago	•Physical Sciences •Life Sciences •Earth Sciences •Investigation and Experimentation
<b>First Grade</b>	•Reading: Literature and Informational Text •Foundational Skills •Writing •Listening and Speaking •Language	•Operations and Algebraic Thinking •Numbers and Operations in Base Ten •Measurement and Data •Geometry	•A Child's Place in Time and Space	•Physical Sciences •Life Sciences •Earth Sciences •Investigation and Experimentation
<b>Second Grade</b>	•Reading: Literature and Informational Text •Foundational Skills •Writing •Listening and Speaking •Language	•Operations and Algebraic Thinking •Numbers and Operations in Base Ten •Measurement and Data •Geometry	•People Who Make a Difference	•Physical Sciences •Life Sciences •Earth Sciences •Investigation and Experimentation

Grade	English Language Arts	Mathematics	History-Social Science	Science
3 <sup>rd</sup> Grade	<ul style="list-style-type: none"> <li>•Reading: Literature Informational Text</li> <li>•Foundational Skills</li> <li>•Writing</li> <li>•Listening and Speaking</li> <li>•Language</li> </ul>	<ul style="list-style-type: none"> <li>•Operations and Algebraic Thinking</li> <li>•Numbers and Operations in Base Ten</li> <li>•Numbers and Operations-Fractions</li> <li>•Measurement and Data</li> <li>•Geometry</li> </ul>	<ul style="list-style-type: none"> <li>•Continuity and Change</li> </ul>	<ul style="list-style-type: none"> <li>•Physical Sciences</li> <li>•Life Sciences</li> <li>•Earth Sciences</li> <li>•Investigation and Experimentation</li> </ul>
4 <sup>th</sup> Grade	<ul style="list-style-type: none"> <li>•Reading: Literature Informational Text</li> <li>•Foundational Skills</li> <li>•Writing</li> <li>•Listening and Speaking</li> <li>•Language</li> </ul>	<ul style="list-style-type: none"> <li>•Operations and Algebraic Thinking</li> <li>•Numbers and Operations in Base Ten</li> <li>•Numbers and Operations-Fractions</li> <li>•Measurement and Data</li> <li>•Geometry</li> </ul>	<ul style="list-style-type: none"> <li>•California: A Changing State</li> </ul>	<ul style="list-style-type: none"> <li>•Physical Sciences</li> <li>•Life Sciences</li> <li>•Earth Sciences</li> <li>•Investigation and Experimentation</li> </ul>
5 <sup>th</sup> Grade	<ul style="list-style-type: none"> <li>•Reading: Literature Informational Text</li> <li>•Foundational Skills</li> <li>•Writing</li> <li>•Listening and Speaking</li> <li>•Language</li> </ul>	<ul style="list-style-type: none"> <li>•Operations and Algebraic Thinking</li> <li>•Numbers and Operations in Base Ten</li> <li>•Numbers and Operations-Fractions</li> <li>•Measurement and Data</li> <li>•Geometry</li> </ul>	<ul style="list-style-type: none"> <li>•United States History and Geography: Making a New Nation</li> </ul>	<ul style="list-style-type: none"> <li>•Physical Sciences</li> <li>•Life Sciences</li> <li>•Earth Sciences</li> <li>•Investigation and Experimentation</li> </ul>

**English-Language Arts (core):**

Benchmark Advance, a program of Benchmark Education, was adopted in the fall of 2016 as the school wide language arts series. Benchmark Advance is a research-based comprehensive language arts program that integrates instruction in all areas of the discipline. It incorporates high quality, multi-cultural, award-winning literature with explicit instruction and ample practice. *Benchmark* integrates the components of a balanced literacy program under a single umbrella: phonemic awareness and phonics, fluency, reading comprehension strategies, English language development and mainstreaming strategies, differentiated instruction techniques and materials,



small group strategies and resources, and vocabulary tools and strategies. *Benchmark* is on the approved Language Arts adoption list from the California Department of Education.

*Benchmark* was adopted as a response to our need for a single, comprehensive literacy tool to unify our language arts instructional program and provide systematic instruction for our EL population across grade levels. All classes follow a pacing plan aligned with the state standards, as well as incorporating the strategies of the *Benchmark* program. Our staff was impressed by *Benchmark*'s simplicity of use, school wide focus, blend of technology and paper/pencil activities, alignment with the CAASPP, the 3 week units, and the academic rigor of the program. The Instruction Committee selected Benchmark Advance as our new English Language Arts/English Language Development program.

#### **English Language Development (core):**

The ELD curriculum in the *Benchmark* Advance program includes a comprehensive teacher's edition with daily lessons for small and whole group instruction. Resources available for small group instruction include the ELD Resource System, Interim Assessment, and Leveled Text Readers for Close Reading. Curriculum for whole group instruction includes Interactive Question-Response lessons through the Leveled Text Readers to bridge gaps in Language acquisition. In addition, the curriculum includes ELD Student Books, Decodable Readers, and Readers' Theatre Books. CCSS-based direct instruction lessons are integrated in the ELD curriculum. There are a variety of formative and summative assessments to monitor student growth. Strategies critical in the acquisition of academic language, an essential component of academic success, are interwoven in the program.

#### **Mathematics (core):**

*My Math*, published by McGraw Hill Education, as the schoolwide mathematics series and has been implemented in all grades since August 2015. The series utilizes hands-on activities to introduce new concepts with rich mathematical conversations actively engaging students in the learning process while concepts are developed, reviewed, and practiced over time. Students move from the concrete to the pictorial to the abstract as opportunities for connections across mathematical strands are presented daily through mixed practice. The series is aligned with the Common Core State Standards for mathematics.

Site-licensed software, *ConnectED from McGraw Hill Education*, and accompanying software, and teacher-designed computer activities continue to enhance and improve students' understanding by providing individualized activities to reinforce skills and concepts and foster deeper language arts, English language development, and mathematical learning.

#### **History-Social Science (core):**

The History-Social Science curriculum is based on the Content Standards for California Public Schools. STEM Academy will utilize the 2006 adoption *Reflections* by Harcourt School Publishers to implement the course of study for each grade level.

- Kindergarten: *Learning and Working Now and Long Ago*
- First Grade: *A Child's Place in Time and Space*
- Second Grade: *People Who Make a Difference*
- Grade Three: *Continuity and Change*
- Grade Four: *California: A Changing State*
- Grade Five: *United States History and Geography: Making a New Nation*
- Grade Six: *World History and Geography: Ancient Civilizations*

This series weaves historical and social sciences' analysis skills into content instruction while technology-based resources provide individualized student access to biographies, original documents, diaries, letters, legends, speeches, and other narrative artifacts which foster deeper student understanding of historical events as recommended by the *History-Social Science Framework*.

STEM Academy emphasizes the use of historical literature (fiction and non-fiction), Internet research, character education, and community resources to teach the history- social science standards. Furthermore, students develop in the following three categories: 1) knowledge and cultural understanding - the incorporation of learning from history and the other humanities, geography, and the social sciences; 2) democratic understanding and civic values, and the rights and responsibilities; 3) and skills attainment and social participation, including the critical thinking and participation skills essential to the development of good citizens.

### **Science (core):**

The Scott Foresman publication, *California Science*, will serve as the core program for K-5 with selected materials from Full Option Science System ("FOSS"), and the online Mystery Science program integrated as needed to create a balanced science curriculum, which fulfills the scope and sequence of the state framework. *FOSS* is a research-based program developed by the Lawrence Hall of Science at the University of California at Berkeley.

Teachers will utilize the essential instructional practices of inquiry-based classroom discussion and cooperative groupings. These develop and promote the social learning context needed by students to support English language development. Students will communicate using scientific language and vocabulary, and by reflecting in their inquiry journals. Students will construct meaning by explaining and justifying their thinking using evidence based explanations.

A key component of the success of the STEM Academy science program has been the implementation of Next Generation Science Standards across grade levels, specifically STEM integration across subject matter.

Fenton STEM Academy teachers integrate STEM instruction by showing students how units of study are interrelated and connected. STEM is not taught in isolation, therefore mimicking the real world. For example, one lesson in third grade involves reading a story about volcanoes. After reading, students use technology to research volcanoes and for note taking. After conducting extensive research, students create their own volcano using the Engineering Design Process. They journal while constructing the volcano and write a reflection paper when finished. The culminating

activity is an oral presentation. A lesson such as this would include reading, science, speaking, and technology standards. A STEM integrated model also helps develop a growth mindset in our students. STEM lessons often provide opportunity for multiple right answers and approaches. The STEM environment offers rich possibilities for creative solutions. When designing and testing prototypes, teams may flounder and fail to solve the problem. This process is recognized and celebrated. Students are expected to learn from what went wrong, and try again. Failure is considered a positive step on the way to discovering and designing solutions. Students and staff take on a Growth Mindset when tackling challenging problems. The growth mindset encourages educators to praise effort, rather than achievement. Students are encouraged to take risks in order to reach higher levels of academic success.

### **Core Technology Integration**

Fenton STEM Academy prides itself in its ability to implement an instructional program with fidelity and meaning guided by the needs of our learners. Both Benchmark Advance and My Math have strong technology components. Teachers have been trained to use Benchmark's *Benchmark Universe* to access instructional materials for their classroom and technologically modify their instruction to prepare students, as young as kindergarten, for the SBAC assessments. Students can use *Universe* to take close reading notes on a MAC desktop, iPad, or laptop, read a passage or have it read to them, and take publisher assessments that closely mirror the state's platform. Teachers work diligently with their grade level peers during twice-weekly grade level meetings to plan instruction and utilize the full potential of both curriculums' technological components.

To supplement the core curriculum, classrooms utilize online programs such as ESGI (TK), iStation (K-2), and Freckle (3-5). These supplemental programs are often integrated into daily instruction through mandatory small-group time. Through individualized student data reports, each allows teachers the ability to target areas of challenge per student and provides the teacher time to work with students in smaller settings.

<b>Grade Level</b>	<b># of Classes</b>	<b>Approx. Student/Class</b>	<b>iPads/Class</b>	<b>Desktops/Class</b>	<b>Laptop/Class</b>	<b>Total Devices</b>
<b>TK/K</b>	<b>2</b>	<b>25</b>	<b>8</b>	<b>6</b>	<b>0</b>	<b>14</b>
<b>1</b>	<b>2</b>	<b>25</b>	<b>8</b>	<b>6</b>	<b>0</b>	<b>14</b>
<b>2</b>	<b>1</b>	<b>25</b>	<b>8</b>	<b>6</b>	<b>0</b>	<b>14</b>
<b>3</b>	<b>2</b>	<b>25</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>16</b>
<b>4</b>	<b>3</b>	<b>25</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>16</b>
<b>5</b>	<b>3</b>	<b>25</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>16</b>

iPads and Desktops are used in the lower grades to allow for independent and small group instruction. As student move toward testing grades, desktops and laptops are provided to build student typing and platform proficiencies to prepare them for state testing. The Charter School plans to provide a 1 to 1 device to student ratio by the end of the 2019-2020 school.

**The following courses are defined as noncore courses:**

**Visual and Performing Arts (non-core):**

**Visual Arts:**

Art integrated into the STEM Academy curriculum deepens student understanding of social studies content, literary concepts, writing and art techniques. Creativity and artistic skills are embedded within our curriculum and placed in the context of meaningful experiences in order to help students understand the five strands of the visual arts, as follows:

- 1.0 Artistic Perception
- 2.0 Creative Expression
- 3.0 Historical and Cultural Context
- 4.0 Aesthetic Valuing
- 5.0 Connections, Relationships, Applications

When students are engaged in artistic experiences, they develop a “sense of self,” as well as a respect for the many cultures that make up the world. Integration of the arts gives second language learners the scaffolding necessary to gain content knowledge, and to make academic connections across the curriculum.

The Charter School’s objective is to increase student awareness of how creative thinking and problem solving in visual arts enhance learning in all areas, and how art defines the culture of a people. STEM Academy will value an environment that demonstrates a respect for visual arts.

**Music and Performing Arts:**

Dramatic play will be used to enhance understanding. Students will achieve this from their first experiences in Kindergarten by learning through role-play. Thematic studies serve as the building blocks of theatrical expression.

**Physical Education:**

Using the Physical Education Model Content Standards for California Public Schools as the guide for instruction, physical education will be scheduled for all grade levels to include 200 minutes of physical education every ten school days. Specific skills and activities will be planned by teachers, supervised by administrators, and implemented by paraprofessionals.

According to federal guidelines, the FCPS Health and Wellness Policy promotes healthy food choices throughout the school day, active physical participation by all students, and holds all stakeholders responsible for insuring that the full intent of the guidelines are met.

## **Innovative Curricular Components**

### **Engineering:**

All STEM lessons are guided by the Engineering Design Process (“EDP”), at Fenton STEM Academy. The EDP provides a flexible process that takes students from identifying a problem—or a design challenge—to creating and developing a solution. Engineering Design Process posters are prominently displayed in each classroom, beginning in Kindergarten through Fifth grade. Students are accustomed to following this process during frequent lessons. In this process, students define problems, conduct background research, develop multiple ideas for solutions, develop and create a prototype, and then test, evaluate, and redesign them. During the EDP, teams of students try their own research-based ideas, take different approaches, make mistakes, accept and learn from them, and try again. Their focus is on developing solutions.

Fenton STEM Academy students utilize the Engineering is Elementary (“EiE”) curriculum. The EiE curriculum is developed by the Museum of Science, Boston and focuses on building upon the natural inclination of children to create, take apart, experiment, and their overall curiosity as to how things work. The curriculum builds upon previously taught science and math skills while providing classroom equity, developing 21<sup>st</sup> century skills, and preparing students for career success. The curriculum is taught in a series of units aligned across science units such as the Human Body or Science and Forces. Each unit contains multiple hands-on engineering design challenges to solve a real world problem. The lessons are presented with two options of primary or advanced and can be modified for any grade level. All lessons require hands on activities with real world items.

Engineering lessons often provide opportunity for multiple right answers and approaches. The Engineering environment offers rich possibilities for creative solutions. When designing and testing prototypes, teams may flounder and fail to solve the problem. This process is recognized and celebrated. Students are expected to learn from what went wrong, and try again. Failure is considered a positive step on the way to discovering and designing solutions. Students and staff take on a Growth Mindset when tackling challenging problems. The growth mindset encourages educators to praise effort, rather than achievement. Students are encouraged to take risks in order to reach higher levels of academic success.

### **Technology:**

STEM Academy is committed to facilitating computer literacy. Each classroom has student computers with Internet access, a printer, an Ultra Short Throw Interactive Projector, and an electronic document reader (“ELMO”). All Tk – 2<sup>nd</sup> grade classrooms have at least 8 iPads and 8 iMac Desktop computers. Students in grades 3-5 have 8 iPads and 8 Macbook laptop computers. The student to computer/iPad ratio in grades TK-5<sup>th</sup> is 1 to 1½. Teachers have access to laptop carts and listening center materials. Students engage in Internet research, develop word processing skills, and utilize a variety of cross-curricular computer programs designed to enhance their learning. Students are expected to navigate the Internet ethically, abiding by the FCPS Internet Policy.

The Charter School's newly designed school website can be accessed by students and parents to view school information such as teacher web pages, school announcements, and important dates. Additionally, teachers and Board members have access to an internal site, which provides links to school data and resources, used to track student progress and drive instruction. STEM Academy will be in alignment with the vision of the original multimedia director of Fenton Avenue Charter School and his belief that technology could "level the playing field" for the Charter School's highly diverse student population:

"In becoming a charter school, we envisioned a day when every student and teacher would have a computer at their desk, not as a single-minded solution to education's structural ills, but as a facilitating tool integral to effective educational reform. We know technology alone cannot teach a child to read, write, or compute. Technology can, however, deliver the individualized hands-on/minds-on help each child needs to become a stronger partner in her/his own mental development."

Doug Bean (1943-1999)  
Classroom Teacher and Multimedia Director  
Fenton Avenue Charter School  
May 1999

The transformational integration of technology requires commitment, resources, and support staff for effective implementation. When STEM Academy opened in 2015, considerations were made to ensure the necessary hardware and software were in place to provide students the tools they needed to reach the level of technology utilization that is the goal of all schools under the FCPS umbrella. FCPS has a rich history of infusing technology with classroom instruction. Rather than a subject in and of itself, learning to use technology can best be accomplished as a direct result of effective academic instruction. As students research, investigate and explore the vast array of technology tools Fenton STEM Academy has made accessible in all classrooms, students become highly proficient, comfortable, and confident in their effective use of these tools. Since the first implementation of the Virtual Learning System classroom (one-to-one computer to student ratio), the FCPS staff has explored how best to integrate technology use in the classroom and have discovered that a systematic, step-by-step program is the least effective practice for encouraging confident, competent technology use. To more clearly align and integrate students' use of technology with content instruction and learning, in 2009, Fenton Avenue Charter School adopted Dr. Ruben R. Puentedura's model for enhancing technology integration. The model identifies a hierarchy of technology integration, which moves technology use from *enhancement* to *transformation*. STEM Academy follows the model, as well. To move from the lowest to the highest level of integration, technology utilization is viewed in four stages:

TRANSFORMATION		
<i>Redefinition</i>	Technology allows for creation of new tasks previously inconceivable.	Tools are used for the visualization of narrative and structural aspects of text such as the use of <i>Garage Band</i> to record and then present a visual representation of a student's reading fluency.
<i>Modification</i>	Technology allows for significant task redesign.	Textual, visual and audio tools for construction of shared knowledge such as the use of a video camera to tape a dialogue between students as

TRANSFORMATION		
		they describe a scientific experiment and their collective findings.
<i>Augmentation</i>	Technology acts as a direct tool substitute, with functional improvement.	Dictionaries, study guides and history sites linked to online text.
<i>Substitution</i>	Technology acts as direct tool substitute, with no functional change.	Shakespeare texts read in online versions.
ENHANCEMENT		

Viewing the use of technology through the lens of this hierarchy, students become independent learners, producing and directing the projects that showcase their work. A digital learning environment, modeled after the learning laboratory experienced by selected FCPS staff at three executive briefing sessions hosted at Apple Headquarters in Cupertino, California, will be explored for STEM Academy.

The following is a list of technology that students will experience by grade level over the course of the charter term. Students will experience step 1 (Basic Operations and Concepts) and step 2 (Social, Ethical and Human Issues) over the first year of the charter term. By the fifth year of the charter term, students will be expected to take part in step 5 (Technology Research Tools) and step 6 (Technology Problem-Solving and Decision-Making Tools) at high levels. The sequence follows Dr. Puentedura's hierarchy of technology integration, which moves technology use from substitution to redefinition.

1. Basic Operations and Concepts
2. Social, Ethical and Human Issues
3. Technology Productivity Tools
4. Technology Communications Tools
5. Technology Research Tools
6. Technology Problem-Solving and Decision-Making Tools

	1. Basic Operations and Concepts	2. Social, Ethical and Human Issues
<b>Transitional Kindergarten and Kindergarten</b>	<ul style="list-style-type: none"> <li>Students take good care of school's technology equipment</li> <li>Students can find certain keys on the keyboard</li> <li>Students can tell if they are online or not</li> <li>Students can use a mouse, track pad, or touchscreen to open applications</li> </ul>	<ul style="list-style-type: none"> <li>Students can leave a site and tell an adult if they feel uncomfortable about anything they see on the Internet</li> <li>Students have an understanding about getting permission from parents or teacher before sharing private information online</li> </ul>

	<b>1. Basic Operations and Concepts</b>	<b>2. Social, Ethical and Human Issues</b>
	<ul style="list-style-type: none"> <li>• Students can use a drawing application to create an original work of art</li> <li>• Students can turn on digital devices</li> <li>• Student can tell when the battery is low</li> <li>• Students can adjust volume on digital devices</li> <li>• Students can plug in headphones into digital devices</li> </ul>	
<b>First</b>	<ul style="list-style-type: none"> <li>• Student can open a web browser and use a website</li> <li>• Students can use a word processing software or app to type</li> <li>• Students can quit a program that is not working on their digital device</li> </ul>	<ul style="list-style-type: none"> <li>• Students work with others in the Charter School, community, or at home to tell someone about being a good digital citizen</li> <li>• Students can leave a site and tell an adult if they feel uncomfortable about anything they see on the Internet</li> </ul>
<b>Second</b>	<ul style="list-style-type: none"> <li>• Students can record their voice using technology and put it into a presentation</li> <li>• Students can quit a program that is not working on their digital device</li> <li>• Students can name a document or file</li> <li>• Students can save a document to a designated location</li> </ul>	<ul style="list-style-type: none"> <li>• Students can talk about what cyberbullying is</li> <li>• Students get permission from parents or teacher before sharing private information online</li> <li>• Students tell what it means to have appropriate online manners</li> </ul>
<b>Third</b>	<ul style="list-style-type: none"> <li>• Students can show they have keyboarding skills appropriate to their grade level</li> <li>• Students can use word processing application to type documents</li> </ul>	<ul style="list-style-type: none"> <li>• Students can talk about what cyberbullying is</li> <li>• Students remind themselves and others about being responsible online</li> <li>• Students know how to protect my passwords by not sharing them with others</li> <li>• Students can make good decisions about using technology when in a group</li> <li>• Students can be kind and polite when using technology in a group</li> </ul>



	<b>1. Basic Operations and Concepts</b>	<b>2. Social, Ethical and Human Issues</b>
		<ul style="list-style-type: none"> <li>Students can talk about what cyberbullying is</li> </ul>
<b>Fourth</b>	<ul style="list-style-type: none"> <li>Students can tell similarities and differences between computer hardware and software</li> <li>Students can name, rename, and save files to designated location</li> <li>Student use advanced tools in office suite software</li> </ul>	<ul style="list-style-type: none"> <li>If students are unsure, they can check with the teacher before copying things from the Internet</li> <li>Students can use technology to teach others about digital citizenship</li> <li>Students can talk about what cyberbullying is</li> </ul>
<b>Fifth</b>	<ul style="list-style-type: none"> <li>Students can edit pictures and movies using computer software</li> </ul>	<ul style="list-style-type: none"> <li>Students can talk about what cyberbullying is</li> </ul>
	<b>3. Technology Productivity Tools</b>	<b>4. Communication and Collaboration</b>
<b>Transitional Kindergarten and Kindergarten</b>	<ul style="list-style-type: none"> <li>Students can use drawing tools to make pictures of an original story</li> <li>Students can use graphics to show patterns</li> </ul>	<ul style="list-style-type: none"> <li>Students can use devices to draw or write with a friend</li> <li>Students can use apps to draw or write with a friend</li> </ul>
<b>First</b>	<ul style="list-style-type: none"> <li>Students can write a story, poem, or title about a digital photo that is taken</li> <li>Students can use word processing programs to tell others about ideas</li> <li>Students can find information using technology</li> </ul>	<ul style="list-style-type: none"> <li>Students can work with others to add graphics to a shared story</li> <li>Students can use devices to draw or write with a friend</li> <li>Students can work with others to write and share a story</li> </ul>
<b>Second</b>	<ul style="list-style-type: none"> <li>Students can find places on the Earth surface using programs</li> </ul>	<ul style="list-style-type: none"> <li>Students can work with a group and use technology to make a presentation</li> </ul>
<b>Third</b>	<ul style="list-style-type: none"> <li>Students can use virtual tours online to help understand more about what is being studied</li> <li>Students can use technology to share ideas</li> <li>Students can adjust layers in programs</li> <li>Students can find information using a search engine on different types of technology</li> </ul>	<ul style="list-style-type: none"> <li>Students can work with a group and use technology to make a presentation</li> </ul>

	<b>1. Basic Operations and Concepts</b>	<b>2. Social, Ethical and Human Issues</b>
<b>Fourth</b>	<ul style="list-style-type: none"> <li>Students put pictures and movies into projects</li> <li>Students can create and modify digital works of art using technology tools</li> </ul>	<ul style="list-style-type: none"> <li>Students can work with others to create documents that have a variety of items like word processing, tables, graphs, pictures and other graphics</li> <li>Students can work with others on a document that needs input and ideas from groups</li> </ul>
<b>Fifth</b>	<ul style="list-style-type: none"> <li>Students can make a podcast and add to voice threads online</li> </ul>	<ul style="list-style-type: none"> <li>Students can work with others in a groups to present a project using a variety of technologies</li> </ul>
	<b>5. Technology Research Tools</b>	<b>6. Technology Problem-Solving and Decision-Making Tools</b>
<b>Transitional Kindergarten and Kindergarten</b>	<ul style="list-style-type: none"> <li>Students can research information when using technology</li> </ul>	<ul style="list-style-type: none"> <li>Students can use technology to participate in class discussion</li> </ul>
<b>First</b>	<ul style="list-style-type: none"> <li>Students can create a report or presentation with information found when using technology</li> <li>Students can tell others what a graph means</li> </ul>	<ul style="list-style-type: none"> <li>Students can use technology to find out more about something that they want to learn</li> </ul>
<b>Second</b>	<ul style="list-style-type: none"> <li>Students can add information to a spreadsheet</li> <li>Students can tell someone what the information means in a spreadsheet</li> <li>Students can tell others what a graph means</li> </ul>	<ul style="list-style-type: none"> <li>Students can use technology to collect data from an experiment</li> <li>Students can see patterns in a set of data and tell about them</li> <li>Students can use technology to find more about a topic using online resources</li> </ul>
<b>Third</b>	<ul style="list-style-type: none"> <li>Students can follow links and use drop down menus to find information</li> <li>Students can navigate to reliable information on the Internet</li> <li>Students can research information and collect data using the Internet</li> </ul>	<ul style="list-style-type: none"> <li>Students can use technology to help plan and organize the steps for a project</li> </ul>
<b>Fourth</b>	<ul style="list-style-type: none"> <li>Students can properly cite digital sources</li> <li>Students can organize manipulate the data that they have collected using technology</li> <li>Students can find correct digital information on the Internet and tell why I have selected it</li> </ul>	<ul style="list-style-type: none"> <li>Student use digital tools to create a step-by-step plan to follow to complete projects</li> <li>Students use digital tools to find a real world problem that they can work on for a project</li> </ul>

	1. Basic Operations and Concepts	2. Social, Ethical and Human Issues
		<ul style="list-style-type: none"> <li>Students work with their class and their teacher to compare and analyze information</li> <li></li> </ul>
<b>Fifth</b>	<ul style="list-style-type: none"> <li>Student choose the correct program to make graphs, charts, or tables that help understand information and draw conclusions</li> </ul>	<ul style="list-style-type: none"> <li>Students support the point of view based on my data</li> </ul>

### **Other Areas of Study**

The Mutt-i-grees™ Curriculum is an innovative program that builds on children’s affinity for animals and highlights the unique characteristics and desirability of Mutt-i-grees, or shelter dogs. The curriculum teaches social and emotional skills and is unique in its bridging of humane education and the emerging field of Social and Emotional Learning (“SEL”). In a series of easily implemented lessons, children learn critical skills that will help them in school, at home, and later on in the workplace and in their interactions with people and, of course, with animals. Students learn to develop self and social awareness, communicate effectively, manage emotions, and display empathy.

### **Thinking Maps™**

Fenton STEM Academy has adopted and implemented the usage of *Thinking Maps* school-wide. Thinking Maps empower students with the fundamental skills and tools necessary to be self-directed learners and independent thinkers. Essentially, Thinking Maps are visual tools or visual learning strategies that integrate thinking skills with mapping techniques, allowing students to construct knowledge, organize information, solve problems, and communicate with others. The eight 'maps' can be broadly understood to represent our fundamental thinking processes: define, describe, compare/contrast, classify, break down into parts, sequence, cause/effect, and establish relationships between things, see below. This approach to teaching and learning is particularly successful for the student population at this proposed school as it provides an alternative path to understanding concepts that can resonate with students with learning differences and those struggling to understand the English language.

Fenton STEM Academy has trained the entire staff on the proper usage and implementation of *Thinking Maps* and will utilize a classroom teacher who is fully trained as a Trainer of Trainers by *Thinking Maps, Inc.*, to provide ongoing support.

*“Thinking Maps promote “equity of access to and explicit teaching of higher order thinking tools for every child and every adult on the journey to lifelong learning.”*

*Thinking Maps: A Language for Learning*  
Dr. David Hyerle

### **Explicit Direct Instruction (“EDI”)**

The EDI approach places emphasis on constantly checking for understanding, while echoing student responses and allowing enough wait time for students to respond, which in turn, effectively helps our large population of English learners. Although similar to the Seven-Step Lesson Plan

format, EDI places significant emphasis on the consistent incorporation of Specially Designed Academic Instruction in English (“SDAIE”) and cognitive strategies, while recent studies in brain research inform all aspects of the approach. STEM Academy teachers have been trained in EDI classroom coaching techniques, which include lesson plan development, classroom observation and feedback. Research supports the use of an explicit instructional methodology, particularly with student groups similar in demographics to the students attending Fenton STEM Academy:

“A traditional approach makes clear to the student what the objectives are and specifies the various learning tasks to be mastered in an increasing order of difficulty. Because of this explicitness, it is of particular benefit to those who are less well prepared.”

*The Academic Achievement Challenge:  
What Really Works in the Classroom, 2000*  
Jeanne Chall

### **Integrated and Designated Instruction for English Learners**

Both integrated and designated ELD are provided to English learners.

***Integrated ELD*** is provided to ELs throughout the school day and across all subjects by all teachers of ELs. The CA ELD Standards are used in tandem with the CA CCSS for ELA/Literacy and other content standards to ensure students strengthen their abilities to use English as they simultaneously learn content through English.

***Designated ELD*** is provided by skilled teachers during a protected time during the regular school day. Teachers use the CA ELD Standards as the focal standards in ways that build into and from content instruction to develop the critical language ELs need for content learning in English.

**Multi-Tiered Systems of Support (MTSS) Practices in the Classroom** Multi-Tiered Systems of Supports is a multi-tiered approach used to identify struggling students and support their learning and behavioral needs through intervention strategies. Teachers utilize assessments and observations to ascertain, early on, which students require additional support. Research-based intervention strategies are used to meet student needs in the classroom, and progress monitoring helps teachers adapt the strategies used to support student achievement.

With a significant student population of English Learners, the instructional program emphasizes hands-on activities to build experiential background, receptive and expressive vocabulary, and oral fluency and comprehension in English, all critical for the mastery of the challenging requirements of CCSS and other Academic Content Standards.

*“The relationship between vocabulary knowledge and academic achievement is well established. As early as 1941, researchers estimated that for students in grades 4 through 12, a 6,000-word gap separated students at the 25<sup>th</sup> and 50<sup>th</sup> percentiles on standardized tests (Nagy and Herman, 1984). Using a more advanced method of calculating vocabulary size, Nagy and Herman estimated the*

*difference to be anywhere from 4,500 to 5,400 words for low versus high-achieving students.”*

*Building Background Knowledge for Academic Achievement*  
Robert Marzano, 2004

### **Sharing of Best Practices**

Continual professional development is needed to ensure that a targeted and cohesive instructional program is implemented to meet the needs of all students. Lead teachers in each grade will guide the sharing of best practices on successful strategies to increase student learning.

### **State Adopted Programs**

STEM Academy will continue professional development on the implementation of state adopted curriculum, such as ***Benchmark Advance*** (ELA/ELD) and ***My Math***, published by ***McGraw Hill*** (Mathematics) to enhance and sustain the instructional program.

### **Ensure Student Mastery**

According to Doug Lemov (2010), teaching decoding, vocabulary, and fluency provide students with the skills to comprehend what they are reading.

*Mastering the methods of champion teachers in three core elements of literacy instruction-decoding, vocabulary, and fluency – can increase the quality and productivity of your students’ reading, making them more attentive, more expressive readers and building a foundation that will increase the comprehension they take from their reading, no matter what subject you teach.*<sup>21</sup>

Students will strive to master the rigorous academic content of the Common Core State Standards, Next Generation Science Standards, and think critically and reflectively about their academic success, accepting personal responsibility for improvement. The core subjects at Fenton STEM Academy are English language arts, mathematics, history-social science and science. Current state adopted textbooks and materials, and other supplementary resources, establish the scope and sequence for each of the following curricular areas.

## **TRANSITIONAL KINDERGARTEN**

Transitional kindergarten (“TK”) is the first year of a two-year kindergarten program designed for students who turn 5 years old between September 2<sup>nd</sup> and December 2<sup>nd</sup>. The Transitional Kindergarten program builds a bridge between early learning years and kindergarten. It gives children an opportunity to learn important academic and social skills in a hands-on way that supports their development prior to kindergarten.

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<sup>21</sup> Lemov, D. (2010) *Teach like a champion: 49 techniques that put students on the path to college*. San Francisco, CA: Jossey-Bass (pg. 263).

Fenton STEM Academy will have two TK classroom with a capacity of 20 students in each classroom. The TK program will follow a full day schedule from 8:00 a.m. to 2:00 p.m. daily for 184 days. Transitional Kindergarten students will have a separate morning recess and lunch schedule.

### **Instructional Program**

The instructional program for transitional kindergarten is a modified kindergarten curriculum with emphasis on developmentally appropriate lessons, foundational language and literacy. Assessments, along with teacher observations, will be used to measure progress of student academic and social growth throughout the year. Teachers will use assessment and observation results to guide instruction and meet the needs of all children.

The transitional kindergarten language arts curriculum will be based on a combination of the Kindergarten ***Benchmark Advance ELA/ELD*** and supplemental resources. Teachers will also integrate social studies and science themes into their teaching.

The transitional kindergarten mathematics curriculum is based on the state adopted mathematics program ***My Math***, published by ***McGraw Hill***.

The social-emotional curriculum will be based on ***Mutt-i-grees™*** lessons, which follow the resiliency model and promote compassion and critical life skills. This is the foundation of the transitional kindergarten classroom management.

The daily schedule for Transitional Kindergarten includes whole group instruction and activities, small group instruction, independent and “hands-on” learning. The Transitional Kindergartners enjoy lunch and recess with their fellow Kindergarten peers and participate in all Kindergarten activities such as music, technology, and motor skills development throughout the year.

### **Parent Involvement**

Parent involvement is not mandatory, but communication between home and school is essential in helping children succeed academically. Teachers will schedule a minimum of 2 meetings a year with parents to discuss student progress and provide updates regarding the TK program.

### **Staffing Qualifications**

STEM Academy’s TK classrooms, as mandated in statute, are staffed by credentialed teachers authorized in general education instruction in self-contained classrooms for all grade levels including transitional kindergarten. Additionally, classrooms with children identified as English learners will be staffed by teachers who are qualified to deliver English learner instructional services. Qualifications include possession of the Cross-cultural, Language, and Academic Development (“CLAD”) certificate, which authorizes a person to teach English Language Development and SDAIE. Fenton Charter Public Schools is currently working on a board approved policy to address the requirement of child development units for those teachers hired in the future.

The 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.

## CALENDARIO ESCOLAR DE INSTRUCCIÓN DE CICLO UNICO

184 Instructional Days and 7 Professional Development Days

[illegible]

**FENTON STEM ACADEMY**  
**A FENTON CHARTER PUBLIC SCHOOL**  
*Master Schedule*  
**2019-2020**

<b>Time</b>	<b>Grade</b>	<b>Subject</b>	<b>Instructional Minutes</b>
8:00 – 9:50	K-1 <sup>st</sup>	English Language Arts	110 minutes
8:00 – 10:00	2 <sup>nd</sup> -3 <sup>rd</sup>	English Language Arts	120 minutes
8:00 – 10:00	4 <sup>th</sup> -5 <sup>th</sup>	English Language Arts	120 minutes
<b>9:50 – 10:10</b>	<b>K-1<sup>st</sup></b>	<b>Recess</b>	
<b>10:15 – 10:35</b>	<b>2<sup>nd</sup>-3<sup>rd</sup></b>	<b>Recess</b>	
<b>10:40 – 11:00</b>	<b>4<sup>th</sup>-5<sup>th</sup></b>	<b>Recess</b>	
10:10 – 11:00	K-1 <sup>st</sup>	RTI	50 minutes
10:00 – 10:15; 10:40 – 11:20	2 <sup>nd</sup> -3 <sup>rd</sup>	RTI	55 minutes
10:00 – 10:40; 11:00 – 11:20	4 <sup>th</sup> -5 <sup>th</sup>	RTI	60 minutes
<b>11:00 – 11:40</b>	<b>K-1<sup>st</sup></b>	<b>Lunch</b>	
<b>11:50 – 12:30</b>	<b>2<sup>nd</sup>-3<sup>rd</sup></b>	<b>Lunch</b>	
<b>12:35 – 1:15</b>	<b>4<sup>th</sup>-5<sup>th</sup></b>	<b>Lunch</b>	
11:40 – 12:30	K-1 <sup>st</sup>	Mathematics	50 minutes
11:20 – 11:50; 12:30 – 1:00	2 <sup>nd</sup> -3 <sup>rd</sup>	Mathematics	60 minutes
11:20 – 12:20	4 <sup>th</sup> -5 <sup>th</sup>	Mathematics	60 minutes
12:30 – 1:10	K-1 <sup>st</sup>	ELD	40 minutes
1:00 – 1:40	2 <sup>nd</sup> -3 <sup>rd</sup>	ELD	40 minutes
12:20 – 12:35; 1:15 – 1:40	4 <sup>th</sup> -5 <sup>th</sup>	ELD	40 minutes
1:10 – 1:40	K-1 <sup>st</sup>	Science/Social Science	30 minutes
1:40 – 2:10	2 <sup>nd</sup> -3 <sup>rd</sup>	Science/Social Science	30 minutes
1:40 – 2:10	4 <sup>th</sup> -5 <sup>th</sup>	Science/Social Science	30 minutes
1:40 – 2:10	K-1 <sup>st</sup>	Art/Music/ Technology/Engineering	30 minutes
2:10 – 2:30	2 <sup>nd</sup> -3 <sup>rd</sup>	Art/Music/ Technology/Engineering	20 minutes
2:10 – 2:30	4 <sup>th</sup> -5 <sup>th</sup>	Art/Music/ Technology/Engineering	20 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	169	310	10	235	5	190	0	0	184	36000	55690	19690
1	Yes	169	310	10	235	5	190	0	0	184	50400	55690	5290
2	Yes	169	320	10	245	5	200	0	0	184	50400	57530	7130
3	Yes	169	320	10	245	5	200	0	0	184	50400	57530	7130
4	Yes	169	330	10	255	5	210	0	0	184	54000	59370	5370
5	Yes	169	330	10	255	5	210	0	0	184	54000	59370	5370

## **PROFESSIONAL DEVELOPMENT**

### **Teacher Recruitment**

Fenton Charter Public Schools has established well-defined policies and practices in order to employ personnel who will promote and implement the mission, vision and goals of the charter. The Board of Directors will determine the qualifications and job descriptions for all positions to ensure that applicants can fulfill Fenton STEM Academy's goals and expectations.

A recruitment committee, consisting of teachers, administrators and other certificated staff from FCPS, will participate in job fairs sponsored by colleges, universities and organizations such as the California Charter Schools Association to screen and recommend teacher candidates for hire at Fenton STEM Academy. An interview committee, separate from the recruitment committee, but also consisting of teachers, administrators, other certificated and classified staff for FCPS, will interview candidates and invite selected candidates to present lessons in core subject areas. Teacher candidates will be observed by this same committee and recommended for hire to the Board of Directors.

STEM Academy selects its own staff and makes recommendations to the Fenton Charter Public Schools Board, which is deemed the exclusive public employer of its employees for the purposes of the Educational Employment Relations Act ("EERA"). The selection procedure does not discriminate on the basis of affiliations, political or religious acts or opinion, race, national origin, ancestry, gender, actual or perceived sexual orientation, marital status, disability or age. Staff racial-ethnic balance continues to comply with federal laws requiring that no teaching staff be identified as intended for students of a particular race, color or national origin. The FCPS Code of Ethics applies to all staff, full and part-time.

### **Professional Development Plan**

STEM Academy's mission statement defines the vision and direction of the Charter School:

*The mission of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Math is successful student engagement and achievement through the implementation of a curriculum that interconnects science, technology, engineering, and math across all disciplines, including art, music, language arts and social studies.*

All professional development will focus on the mission of the Charter School. Professional development activities will be scheduled on Wednesdays and all programs and school-wide initiatives will be implemented with ongoing support from vendors and consultants. A trainer-of-trainers model will often be used to make the most effective use of resources with Lead Teachers serving as the trainers and mentors.

Lead Teachers act as grade level chairs and mentor teachers, provide peer assistance and coaching, and plan and lead grade level activities. The Lead Teachers, director, assistant directors and administrative coordinators form the instructional leadership team of the Charter School. Lead Teachers participate in off-site professional development workshops and conferences and act as "trainer of trainers" upon their return. During the grade level's psychomotor period (when paraprofessionals lead the physical education and physical fitness program allowing teachers to meet as a grade level team during the school day), Lead Teachers review student assessments and analyze results with the entire grade level team. Ideas for improvement of student learner outcomes as related to LCAP goals are discussed and planned for implementation. These meetings occur twice weekly, and allow for continuous review of student outcomes and revision of instructional practices across the grade level.

Seven full days of professional development for all certificated staff will be scheduled beginning in the 2019-2020 school year. The Instruction Committee will recommend the focus areas for staff development days after careful analysis of CAASPP test results from the previous year. The professional development calendar will be developed by administration and Lead Teachers to be approved by the FCPS Board of Directors.

Professional development at STEM Academy will focus primarily on Explicit Direct Instruction, Thinking Maps, GLAD Strategies, Mutt-i-grees, Strategies for Academically High-Achieving Students, Discipline with Dignity, Sharing of Best Practices, State Adopted Programs to increase student achievement, Technology Education and Enhancement, Gifted instruction, and STEM related trainings/conferences.

### **MEETING THE NEEDS OF ALL STUDENTS**

#### **ENGLISH LEARNERS**

**The following is the EL Master Plan for STEM:**

##### **1. How students who are English Learners will have their needs identified?**

Fenton STEM Academy serves students in grades TK-5 with approximately 20% of the student population designated as an English Learner. Anticipating a consistent population of English Learners, STEM Academy will continue to commit the resources necessary to ensure that all EL students learn to speak, read and write English. STEM Academy will meet all applicable legal requirements for the EL population, such as annual notification to parents, student identification and placement, program options, English Language Development using the new California English

Language Development Standards and core content instruction aligned to CCSS. Rigorous instruction is designed to meet EL linguistic and academic needs. STEM Academy will ensure all teachers are EL authorized and receive consistent ELD professional development. STEM Academy will continue to reclassify EL students to fluent English proficient status, monitor and evaluate program effectiveness, and employ standardized testing procedures. STEM will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

### **English Language Proficiency Assessment**

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessments for California. The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

- **Initial Assessment (“IA”)**

The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student’s time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

- **Summative Assessment (“SA”)**

ELs will take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are paper–pencil assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing.

STEM Academy uses Illuminate Education to collect, report, analyze, and interpret monthly data regarding ELs' linguistic progress. Administrators and teachers will analyze EL student achievement throughout formative and summative assessments to determine EL progress.

English Learners will have their needs identified and addressed through a variety of programs and activities:

- Initial identification is made through the Home Language Survey completed with all enrollment applications and by crosschecking CALPADS.
- *Initial Assessment:* Students whose home language is other than English are assessed using the CELDT in 2017-2018 (in conjunction with the state's timeline) within 30 calendar days after first enrolled<sup>22</sup>, or within 60 calendar days after the date of enrollment in a California school.
- *Annual Assessment:* English Learners are tested once a year, during the AA window; to measure their progress in learning English until they are reclassified as fluent English proficient ("RFEP").
- The ELPAC Summative Assessment window will be a four-month window after January 1 (February 1–May 31).
- The ELPAC Initial Assessment window will be year-round (July 1–June 30) beginning in 2018-2019.
- The ELD component of the *Benchmark* ELA/ELD program will continue to be implemented in all classrooms (TK-5) with enhancements such as Thinking Maps, Retelling and Picture Walks. *Benchmark ELD* promotes effective strategies for English language acquisition and provides an avenue to identify English Learners' progress and meet their needs.

**2. How does your school provide both a comprehensive designated and integrated ELD instructional program for every EL student to meet the linguistic and academic goals at their grade level and language learning needs?**

STEM Academy utilizes a Language Appraisal Team (LAT). The STEM Academy LAT is charged with the responsibility of monitoring and supporting the progress of all English Learners. The LAT ensures that:

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<sup>22</sup> The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT (or ELPAC) tested. All other students who have indicated a home language other than English will continue with annual ELPAC testing based upon the date last tested at the prior school of enrollment.

- ELs are monitored to ensure appropriate instruction, support and intervention strategies are provided to accelerate the language progress of all English Learners (ELs), including Long Term English Learners (LTELs).
- Reclassified Fluent English Proficient (RFEP) students continue to make progress and achieve academic proficiency after reclassification.

The Director is responsible for the Language Appraisal Team and will always include the Instruction Committee. The core Language Appraisal Team is comprised of individuals who are knowledgeable about the STEM Academy Instructional Program options for ELs and the English Learner Master Plan, including ELD and access to grade-level core curriculum [Specially Designed Academic Instruction in English, Primary Language Support, and Primary Language Instruction] for ELs. The LAT may also include special education teachers, and any other EL experts. STEM Academy incorporates the responsibilities of the LAT into already existing multidisciplinary team structures such as Coordination of Services Teams and/or Student Success Teams to eliminate the duplication of efforts by school personnel. The LAT Initial and/or Follow-up meetings may take place concurrently with the SST/COST Team.

### **3. How often does integrated ELD and designated ELD take place, and for what lengths of time?**

**Designated ELD:** A protected time during the school day when teachers use the CA ELD Standards as the focal standards in ways that build into and from content instruction, consist of 40-minute blocks that are provided for all students who are identified by the CELDT in 2017 and the ELPAC beginning the Fall of 2018, as English Learners to ensure ELD instruction targets needs depending on the student's English Proficiency level. During Designated ELD blocks, English Learners are grouped with students that are Emerging, Expanding, or Bridging.

Provide a minimum 40 minutes a day of Designated ELD that:

- Is targeted at EL proficiency levels
- Is aligned to the 2012 California ELD Standards.
- Focuses on communicative purposes, not on discrete grammar instruction.
- Addresses speaking, listening, reading and writing.
- Is embedded in or explicitly connected to grade-level content or topics.
- Includes systematic development of academic vocabulary.
- Requires students to spend at least 50% of instructional time producing oral and written language.

**Integrated ELD:** All teachers with ELs in their classrooms use the CA ELD Standards in tandem with the CA CCSS for ELA/Literacy and other content standards. Integrated ELD is during the content area time when using strategies and scaffolds for students to access the content. All teachers who have ELs in their class are responsible for integrated ELD.

Provide Integrated ELD across content areas that:

- Has clear articulation, instruction, and assessment of Content-Language Objectives.
- Provides students appropriate levels of language-focused scaffolds in content area instruction.

- Intentionally develops students' academic language and literacies specific to each discipline (the language of math, science, history, etc.).
- Requires ample oral and written production of language.

**4. What are the program(s)/resources used in both the core curriculum and ELD? Please be specific to grade-levels and subject areas. Why were these program(s)/resources selected and how do they meet the needs of ELs?**

Benchmark Advance is used in all STEM Academy classrooms (TK-5). The ELD curriculum in the Benchmark Advance program includes a comprehensive teacher's edition with daily lessons for small and whole group instruction. Resources available for small group instruction include the ELD Resource System, Interim Assessment, and Leveled Text Readers for Close Reading. Curriculum for whole group instruction includes Interactive Question-Response lessons through the Leveled Text Readers to bridge gaps in Language acquisition. In addition, the curriculum includes ELD Student Books, Decodable Readers, and Readers' Theatre Books. CCSS-based direct instruction lessons are integrated in the ELD curriculum. There are a variety of formative and summative assessments to monitor student growth. Strategies critical in the acquisition of academic language, an essential component of academic success, are interwoven in the program.

The following tools and practices are used during designated and integrated ELD.

- Bilingual paraprofessionals will provide direct instructional support for students and translate for parents during parent-teacher conferences;
- Use of Specially Designed Academic Instruction in English;
- The *Benchmark ELA/ELD program* in all classrooms will promote effective strategies for English language acquisition;
- The supplemental *Benchmark ELA/ELD program* Newcomer materials will be used to support English proficiency;
- *Thinking Maps* and Visualizing and Verbalizing for Language Comprehension and Thinking strategies will be implemented across the curriculum;
- School expectations will be clearly communicated to all students' families in parent education workshops at the Parent Center and in each classroom;
- Computers in all classrooms will provide access to a variety of resources;
- Parent Center activities and services will help non-English speaking families support their children;
- STEM Academy has designated ELD daily as well as integrated ELD in ELA and Mathematics. STEM Academy ELD lessons focus on content while taking into consideration the various ELD levels of our students (Emerging, Expanding, Bridging);
- Title III Plan will be implemented.

**5. Who delivers designated and integrated ELD to ELs, and where does it take place?**

With 20% of the student population identified as English Learners, STEM Academy has committed its resources to ensure that all students learn to listen, speak, read and write English. As described above, support and assistance will be provided through a variety of programs and activities to deliver quality designated and integrated ELD to all ELs. All

teachers who have ELs in their class are responsible for designated and integrated ELD. It takes place in the general education classroom.

Educators at Fenton STEM Academy implement an instructional model, which integrates science, technology, engineering, and mathematics across all subject matter. Research shows ELs benefit greatly from this type of hands-on, project based learning. At Fenton STEM Academy, lessons are created using the Engineering Design Process. The EDP provides a flexible process that takes students from identifying a problem—or a design challenge—to creating and developing a solution. Engineering Design Process posters are prominently displayed in each classroom, beginning in Kindergarten through Fifth grade. Students are accustomed to following this process during frequent lessons. In this process, students define problems, conduct background research, develop multiple ideas for solutions, develop and create a prototype, and then test, evaluate, and redesign them. During the EDP, teams of students try their own research-based ideas, take different approaches, make mistakes, accept and learn from them, and try again. The focus of EDP is always on developing solutions. English Learners have shown great progress using the EDP at Fenton STEM Academy.

**6. As you've evaluated the effectiveness of your EL program, what does the performance data of current ELs, LTELs, RFEPs, and never EL students demonstrate about the outcomes of your designated and integrated ELD instructional program?**

The Instruction Committee, an advisory committee that reports to the Board of Directors, will continue to analyze and evaluate our English Learner program at regularly scheduled monthly meetings. Feedback will be provided at least once a year to the Board of Directors. STEM Academy RFEP students continue to significantly outperform RFEP students in LAUSD and the state in Math as measured by students who have met or exceeded standards on the CAASPP. STEM Academy RFEP students continue to excel in ELA as compared to the performance of RFEP students in LAUSD and across the state on the CAASPP.

<b>RFEP Students</b>	<b>2016 CAASPP Math % Met</b>	<b>2017 CAASPP Math % Met</b>	<b>2016 CAASPP ELA % Met</b>	<b>2017 CAASPP ELA % Met</b>
<b>Fenton STEM Academy</b>	<b>42</b>	<b>46</b>	<b>45</b>	<b>49</b>
LAUSD	30	31	43	43
California	40	41	58	58

*Source: California Assessment of Student Performance and Progress, 2016 Test Results:  
<https://caaspp.cde.ca.gov/sb2016>*

Fenton STEM Academy prides itself on implementing strict, comprehensive, state-approved guidelines when deciding whether to reclassify an English learner to Fluent English Proficient.

## Interim Reclassification Guidance in 2017-2018

While ELPAC threshold scores are still preliminary<sup>23</sup>, STEM Academy has made the local decision to continue to follow existing state-approved reclassification criteria:

Pursuant to California *Education Code* Section 313, Fenton STEM Academy uses the following four criteria to establish reclassification policies and procedures:

1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of English language development; and
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery; and
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

The Charter School meets each criterion using data from the following sources:

Criterion 1: Assessment of English language proficiency: English Language Development Retell Assessment, and a minimum English Language Proficiency Assessment for California proficiency level of *Bridging*

Criterion 2: Overall Reading Report Card Grade of 3 or better out of 4

Criterion 3: Parent consultation is facilitated through the *Reclassification Matrix and Parent Notification* form

Criterion 4: Comparison of student performance in basic skills on English Language Arts Publisher's Assessments, and review of student's NWEA MAP Mid-Year/End of Year Reading Achievement Percentile

### ***Monitoring and Evaluation of Program Effectiveness***

The Charter School evaluates the effectiveness of its education program for ELs by:

- Adhering to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
- Monitoring teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring student identification and placement.
- Monitoring parental program choice options.
- Monitoring availability of adequate resources.
- Monitoring students who for two years who have reclassified.

### **RFEP Monitoring Process (minimum of four years):**

- Complete **Monitoring Academic Progress – Reclassified Fluent English Proficient** from each semester and place in EL Folder in Cumulative record.
- RFEP students are expected to meet or exceed state grade-level content standards

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<sup>23</sup> California Department of Education: *Interim Reclassification Guidance for 2017-2018. January 2, 2018*



- Regularly gather and review data to monitor RFEP students' progress
- Notify parents of ongoing progress after reclassification
- Run the roster when grades are available, at least once a semester
- Discuss with the leadership team possible intervention programs for identified RFEP students
- Discuss action steps for those students not meeting benchmarks and those whose parents request support services
- Reclassification letters and Annual Title III letters
- Suggested intervention
- Implementation of intervention
- Notification to teachers and parents regarding intervention
- Annual monitoring of interventions program effectiveness
- Provide appropriate and additional education services when needed and annually evaluate effectiveness of such services (help with homework, support in math, etc.)

#### **Long Term English Learners Monitoring:**

- Monitor each LTEL's:
  - Language status
  - Test results
  - Goals for meeting grade level standards
  - Progress towards reclassification
- Meet with students and parents twice a year to review:
  - Language status
  - Program placement
  - Test results

Goals for attaining reclassification criteria and accelerate academic progress targets

- Maintain documentation of the individual conferences and meetings

#### **7. How do you monitor EL students that are incurring academic deficits while learning English? How do you ensure that they receive the appropriate in class and out of class instructional supports?**

The LAT monitors EL students that are incurring academic deficits while learning English. To achieve this purpose, the LAT performs the following functions:

1. Monitor the instruction of EL and RFEP students.
2. Monitor the linguistic and academic progress of ELs.
3. Ensures appropriate placement of Long Term English Learners, as well as recommending instructional strategies to support their academic and linguistic progress.
4. Review the progress of ELs in meeting the reclassification criteria.
5. Monitor progress of RFEPs in reaching academic proficiency in all core subject areas based on data, grades, and state test scores.
6. Monitor individual students through the LAT referral process.
7. Review EL/RFEP student and school data (at least 3 times per year) to ensure the above is documented and monitored accurately.

The Director will monitor the progress of English Learners. Administrators and/or Lead Teachers will observe classroom ELD instruction following established protocols including the explicit teaching of vocabulary, syntax, grammar, functions, conventions of English, maintain a print rich environment, and consistently use visual/graphic representations. Coaching by teacher colleagues will help ensure consistent implementation of specific instructional delivery. Lead teachers and other selected staff members will follow the same protocols used by administrators. The Director, Lead Teachers, and classroom teachers will meet monthly to discuss and evaluate all program-related activities and student progress.

### **GIFTED AND TALENTED AND STUDENTS ACHIEVING ABOVE GRADE LEVEL**

Strategies to address the academically high-achieving students are fundamental to the instructional program for STEM Academy. STEM Academy will continue to work diligently to implement a variety of strategies to identify and support academically high-achieving students. The Director is responsible for the monitoring of this subgroup. The school psychologist ensures that eligible students are identified and tested for gifted. Lead Teachers are responsible for ensuring strategies for depth and complexity are shared during grade level meetings. Strategies for serving the academically high-achieving will be an explicit focus for professional development and are embedded in the core instructional program. Academically high-achieving students are also serviced through:

- STEM enrichment projects.
- After school robotics courses.
- Depth and Complexity differentiated lessons.
- Multiple computers in all classrooms.
- School psychologist to identify students for program.
- Individualized assistance and support from paraprofessionals.
- Team teaching to support differentiated instruction.
- Supplementary enrichment materials for core subjects.

STEM Academy will work diligently to implement a variety of strategies to identify and support gifted and talented students.<sup>24</sup> Teachers design projects that engage students' higher order thinking skills, such as analyzing, evaluating and creating.

The Charter School will work diligently to implement a variety of strategies to identify and support gifted and talented students:

- Multiple computers in all classrooms
- School psychologist to identify students for program
- Individualized assistance and support from paraprofessionals
- Team teaching to support differentiated instruction
- Supplementary enrichment materials for core subjects

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<sup>24</sup> Kaplan, S. (2005). Layering differentiated curriculum for the gifted and talented. In F.A. Karnes & S. M. Bean (Eds.), *Methods and materials for teaching the gifted* (2nd ed., pp. 107-131). Waco, TX: Prufrock Press.

- Allow for leadership opportunities by participating in various school functions

High achieving students will be identified through a multifaceted approach utilizing summative and formative classroom assessments, teacher observations, parent input, and performance on standardized assessments including internal benchmark assessments and the CAASPP.

The Charter School evaluates the effectiveness of its education program for Gifted and Talented and Students Achieving Above Grade Level by:

- Adhering to Charter School-adopted academic benchmarks to determine adequate yearly progress.
- Monitoring use of appropriate instructional strategies based on program design through Illuminate database by leadership team.
- Monitoring student identification and placement.
- Monitoring availability of adequate resources.

### **STUDENTS ACHIEVING BELOW GRADE LEVEL**

STEM Academy will implement a cohesive instructional program to strategically serve academically low-achieving students. Academically low achieving students are identified through a multifaceted approach utilizing summative and formative classroom assessments, teacher observations, parent input, and performance on standardized assessments. Additionally, students receive assistance through participation in the following activities:

- Paraprofessionals provide individualized assistance
- Multiple computers in all classrooms
- Small group and individualized instruction in all classrooms
- Behavioral and Academic Student Study Teams
- *Istation* assessment to identify specific standards in need of remediation
- Supplementary materials aligned with core programs for use in intersession and after school programs
- Coordination of Services Team meets individually with teachers regarding meeting the needs of students struggling with academics and/or behavior
- *NWEA Map* assessments

STEM Academy staff will take on a “triage” approach to screen student need, apply appropriate tiered instruction, monitor student achievement, and revise application of instruction as needed. Based on the analysis of summative and formative assessments, targeted intervention and acceleration will be provided. Targeted instruction will be provided to students at their level and address student specific needs, focusing on skills needed to master grade level content in language arts, mathematics, and English language development. This accelerated instruction will take place during the instructional day and enable a wide range of services from general education teachers, special education teachers, support staff, and administration. A strategic instructional program requires a multi-tiered model of instructional delivery responding to the individual need of each child.

First, STEM Academy will provide children with prevention and intervention strategies. Students will be targeted through a multifaceted approach utilizing summative and formative classroom

assessments, teacher observations, parent input, and performance on standardized assessments, including the CAASPP and the ELPAC. STEM Academy classroom teachers will modify instruction, target specific skills, provide small group instruction, and reach out for support services as needed. The Charter School will use a variety of assessments to monitor and inform instructional decisions.

Second, students who struggle with classroom prevention and intervention strategies will be provided with additional intensive support through a Multi-Tiered System of Support. STEM Academy will employ an MTSS model in grades K-5 as part of a cohesive instructional program. MTSS will enable a paradigm shift for providing support and setting higher expectations for all students through intentional design and redesign of integrated services and supports, rather than selection of a few components of RtI and intensive interventions. This approach will require teachers to engage in the use of procedural steps based on diagnostic feedback, use of scientifically-based curriculum, frequent progress monitoring, modification of instruction based on student outcomes, and an instructional delivery based on outcomes of the intervention in place. Students receive intensive support to address their specific area of need by a highly trained certificated teacher.

Third, students who continue to struggle despite the intensive support will be brought to the Coordination of Services Team. COST is a team composed of an administrator, lead teacher, classroom teacher, and often a special education representative to discuss the needs of a particular general education student who is struggling with academics and/or behavior. The COST team identifies areas of need and designs a plan to systematically address the needs of a particular student. The COST team meets regularly to discuss students who are struggling and creates a plan for success based on summative and formative assessments to implement specific strategies to target the student's needs. The COST team will analyze NWEA MAP assessment data, ELA/Math publisher assessments, CAASPP results, and ELPAC scores.

Fourth, if a student continues to struggle over a defined period of time, he/she will have a Student Study Team ("SST") meeting to design an even more intensive academic program and goals for academic success.

Additionally, students receive assistance through participation in the following activities:

- Paraprofessionals provide individualized assistance
- Parent workshops to support home-school activities and communication
- Multiple computers in all classrooms
- Parent and off-track student volunteers
- Afternoon tutoring sessions for selected students
- Small group and individualized instruction in all classrooms
- Supplementary materials aligned with core programs for use in intersession and after school programs

## **SOCIO-ECONOMICALLY DISADVANTAGED/LOW INCOME STUDENTS**

STEM Academy will adhere to the regulations of the reauthorization of the Elementary and Secondary Education Act and continue to utilize funding and other resources to enhance the school-wide Title I program by providing:

- Disadvantaged students will take part in art, music, and the use of technology to ensure exposure to enrichment opportunities.
- Teachers will conduct student interest surveys to understand enrichment opportunities that will support the interest and needs of their socioeconomically disadvantaged students
- An average class size of 20 students in Kindergarten through third grade.
- An average class size of 24 students in fourth and fifth grades.
- Whole, cooperative, and small group instruction.
- Individualized direct instruction.
- A part-time school counselor.
- A school psychologist.
- Field trips aligned to specific areas of study.
- Computers in all classrooms.
- Paraprofessionals to provide individualized and small group assistance.
- An annual Fifth Grade Science Camp.
- A structured psychomotor program.
- Supplementary materials and resources in all classes, such as manipulative, a Hands on Lab learning space, and computer software.

Fenton STEM Academy will identify students who are socio-economically disadvantaged using a variety of items. First, students will be identified as being eligible for free or reduced price meals, using a *Meal Application* or *Income Verification Form*, following federal and state guidelines. Second, the Charter School has access to direct certification from the state for students who are currently receiving government assistance. Finally, families who are homeless or living in a shelter and are willing to fill out a verification form, will be considered as socio-economically disadvantaged.

The Charter School will provide the following supports for socio-economically disadvantaged students:

- Access to a Parent Center Director with a variety of resources
- Full-time counselor and psychologist
- Partnership with Hathaway Sycamores for additional mental health support for students and families
- Full-time nurse's aide to provide parents with additional support
- Full-time Administrative Coordinator who guides implementation of PBIS

Fenton STEM Academy will identify socio-economically disadvantaged students using Illuminate, CALPADS, and Los Angeles County databases. Illuminate will desegregate academic data with student information data to create reports on academic progress for the subgroup and individual. CALPADS can verify enrollment and program code history.

The Charter School evaluates the effectiveness of its education program for Socio-Economically Disadvantaged/Low Income Students by:

- Adhering to Charter School-adopted academic benchmarks to determine adequate yearly progress.
- Monitoring use of appropriate instructional strategies based on program design through Illuminate database by leadership team.
- Monitoring student identification and placement.
- Monitoring availability of adequate resources.

### **STUDENTS WITH DISABILITIES**

NOTE: The District Required Language contains all provisions necessary to address matters related to students with disabilities and special education.

### **STUDENTS IN OTHER SUBGROUPS**

Most of the Charter School's students are identified as English learners, foster youth, homeless and/or qualifying for free or reduced price meals using the enrollment application. Parents submit enrollment applications, identical to the applications used by LAUSD, with critical information to properly identify students and provide the resources necessary. Every child has equal access to the same free, appropriate public education as provided to all children and youths. STEM Academy applies the same instructional program components, services, and supports to foster and homeless youth, as was described above under EL, socioeconomically disadvantaged, and academically high or low achieving, as fits the particular student's situation.

FCPS also contracts with Los Angeles County for direct certification to identify families receiving assistance. This provides a legal way to properly identify students who qualify for free or reduced price meals. Fenton STEM Academy provides an office for a full-time therapist with Hathaway-Sycamores Child and Family Services, allowing our students and families direct access to mental health services. Hathaway-Sycamores Child and Family Services provides a comprehensive array of programs and services which include, residential treatment; transitional shelter care; foster care, and adoption; transitional living assistance for emancipated foster youth; outpatient and school-based mental health services; wrap around/in-home services; and afterschool tutoring/enrichment. In order to ensure proper program identification, STEM updates its database during parent conferences and when notified of a change by the parent or guardian and through ongoing internal audits of data by the school leadership team.

### **"A TYPICAL DAY"**

A typical day at STEM Academy is well organized and structured to make the best use of time for students and staff. Clearly defined responsibilities and schedules ensure a safe campus where students are well supervised at all times and highly engaged in a rigorous instructional program.

Throughout the typical day, Fenton STEM Academy utilizes Explicit Direct Instruction by DataWorks to enhance student learning. Explicit Direct Instruction allows the teacher to constantly

monitor understanding and make sure students are deriving meaning from instruction. Students are cognitively engaged throughout the learning encounter. They have opportunities throughout the lesson to self-monitor and direct their own learning and participation. An EDI lesson always includes specific lesson design components and lesson delivery strategies. It always includes continuous student engagement through Pair Share interactions and by using Checking for Understanding activities to verify that students are learning during the lesson. Student Pair-Share activities are an integral part of their TAPPLE mnemonic:

Teach first  
Ask a question  
Pause and pair-share  
Pick a non-volunteer  
Listen to the response  
Effective feedback

During Explicit Direct Instruction, teachers have a great deal of responsibility to monitor student needs and provide the kind of scaffolding most appropriate throughout the learning process. However, students have responsibility too. They must realize that they will be expected to perform the task by themselves, and they should then work toward achieving that goal.

A typical day at STEM Academy is well organized and structured to make the best use of time for students and staff. Clearly defined responsibilities and schedules ensure a safe campus where students are well supervised at all times and highly engaged in a rigorous instructional program.

**5:30 a.m.** Custodian and School Food Service Vendor arrive.

The custodian arrives and checks the campus for any breach in security or safety. Graffiti, vandalism, and custodial needs are addressed prior to the arrival of staff and students.

The School Food Service Vendor begins preparing breakfast for the approximately 450 students who will eat breakfast daily. He/she checks on the delivery of fresh milk, fruits and vegetables, and insures that all students receive a nutritious meal for breakfast and lunch daily. He/she will also begin preparing for the staff (coffee, breakfast items and lunch).

**6:00 a.m.** Administrators, teachers and other certificated staff begin to arrive.  
First cafeteria worker arrives to assist with breakfast.

Administrators and teachers will be available for conferences as early as 5:30 a.m. to accommodate parents' work schedules. Teachers' scheduled hours are 7:50 a.m. to 2:40 p.m. and administrators' hours are 7:00 a.m. to 4:30 p.m. All staff members are on campus well beyond their scheduled hours.

Administrators will meet with staff, parents and community members throughout the day during scheduled and unscheduled conferences.

**6:30 a.m.** Campus Security arrives.

Campus security will check the perimeter of the Charter School. He/she will prepare for the drop-off of students and patrol the front of the Charter School. He/she will set-up cones for drop-off locations and crosswalks. Throughout the day, this team will be visible to students and staff, assisting with students, safety and security.

Flags will be raised and the eating area will be prepared for students.

**7:00 a.m.** Administration, Office Assistant, and School nurse's aide (full-time) arrive, food service vendor's staff arrive, supervision aides and cafeteria clerk arrive to oversee breakfast service and supervise playground.

Committee meetings (Finance, Instruction, Parent Advocacy, and Personnel) begin and end at the start of the school day.

Academic Student Study Team meetings will be scheduled with STEM Academy staff as needed. The STEM Academy school psychologist, counselor, speech and language pathologist, Education Specialist teacher, and the STEM Academy administrators will meet with selected teachers to discuss concerns regarding specific students and their academic progress and/or attend IEP meetings.

Throughout the day, the support staff from STEM Academy (school psychologist, school counselor, speech and language pathologist, and Education Specialist teacher) will be scheduled to assist staff with student behavior concerns and problems.

**7:30 a.m.** Office manager arrives and assists parents and teachers.

**7:55 a.m.** Teachers retrieve breakfast coolers for distribution in the classroom.

**8:00 a.m.** Bell rings for the start of the school day and the Main Gates are locked. Student Study Team meeting ends. Students line up at marked areas on the yard (room numbers are painted on the playground). This line-up area is also where students line-up in an emergency (fire drill, earthquake drill, etc.). Teachers will pick up classes from the yard and walk students to classrooms. Administrator will check grounds to ensure that all students are in classes and accounted for. Paraprofessionals arrive and clock in.

**8:10 a.m.** Attendance taken on Illuminate database. Breakfast is served. Students will be offered three choices for breakfast and all students eat for free.

The Office Manager and Office Assistant begin issuing "tardy slips" to students who have arrived late through the Main Office, documenting reasons for late



arrival. After all students have been checked in, the Attendance Officer will begin calling parents of absent students and entering attendance in the STEM database.

Volunteers arrive and sign-in through the Main Office (all volunteers have previously completed clearance and orientation in the FCPS Business Office).

STEM Academy's School Psychologist, Elementary Counselor and Speech and Language Pathologist begin working with selected students and/or conducting assessments as contracted by STEM Academy.

The Education Specialist Teacher(s) will begin his/her program for selected students as needed: pull-out and push-in model.

Nurse begins calling for classes for vision screening, checking on immunizations, getting up-to-date medications and medical records.

Paraprofessionals will work in classrooms, supporting the instructional program as directed by teachers.

STEM Academy teachers carefully plan their daily schedules to integrate STEM throughout the day and throughout the week. They accomplish this while also insuring the full implementation of the language arts, mathematics, social science, science, ELD, technology and the Mutt-i-Grees™ Curriculum.

**8:15 a.m.** Psychomotor schedule begins for Primary Grades (twice a week)

**9:45 a.m.** Psychomotor schedule ends for Primary Grades (twice a week)

**9:50 a.m.** TK/K/1st Recess

Transitional Kindergarten, Kindergarten, and 1<sup>st</sup> grade students will be supervised by paraprofessionals at assigned areas in the TK and K/1<sup>st</sup> yards. Equipment is marked for each set of areas and selected ball monitors from each room pick up equipment.

**10:10 a.m.** Bell rings for end of TK/K/1st Recess

Students will line up at assigned areas and teachers will pick up students. Instruction in language arts continues, to be followed by instruction in mathematics. Selected classes participate in STEM lessons within the Hands on Lab depending on the specific schedule.

**10:15 a.m.** 2<sup>nd</sup>/3<sup>rd</sup> grade recess

Second and Third grade students will follow the same pattern as the first recess.

- 10:35 a.m.** End of 2<sup>nd</sup>/3<sup>rd</sup> grade recess
- Teachers will pick up classes and instruction continues.
- 10:40 a.m.** 4<sup>th</sup>/5<sup>th</sup> grade recess
- Fourth and Fifth students will follow the same pattern as the first recess.
- 11:00 a.m.** End of 4<sup>th</sup>/5<sup>th</sup> grade recess
- Teachers will pick up classes and instruction continues.
- 11:05 a.m.** Lunch for TK/K/1st students.
- There will be three choices for lunch, and the eating area will be supervised by supervision aides (all aides will wear fluorescent green vests to insure they are easily identified by students).
- 11:45 a.m.** End of TK/K/1st lunch.
- Teachers will pick-up students and return to classrooms to work on social science, science, ELD, technology and the Mutt-i-Grees™ Curriculum, or work with STEM lessons within the Hands on Lab depending on the specific schedule.
- 11:50 a.m.** Lunch for 2<sup>nd</sup>/3<sup>rd</sup> grade students.
- 12:30 p.m.** End of 2<sup>nd</sup>/3<sup>rd</sup> grade lunch.
- 12:35 p.m.** Lunch for 4<sup>th</sup>/5<sup>th</sup> grade students.
- 1:15 p.m.** End of for 4<sup>th</sup>/5<sup>th</sup> grade lunch.
- Teachers will pick-up students and return to classrooms to work on social science, science, ELD, the Mutt-i-Grees™ Curriculum, or work with STEM lessons within the Hands on Lab depending on the specific schedule.
- 1:20 p.m.** Psychomotor schedule begins for Upper Grades (twice a week)
- 2:05 p.m.** Psychomotor schedule ends for Upper Grades (twice a week)
- Teachers will pick-up students and return to classrooms to work on social science, science, ELD, the Mutt-i-Grees™ Curriculum, or work with STEM lessons within the Hands on Lab depending on the specific schedule.
- 2:10 p.m.** End of regular school day for K-2 students.
- 2:30 p.m.** End of regular school day for 3-5 students.
- Campus security and teachers oversee dismissal.
- Teachers walk classes to assigned gates for dismissal (each grade level is assigned a different dismissal gate to alleviate congestion and create a safer environment).

Students who remain for after school programs walk to assigned meeting areas:

- Afterschool Playground
- Youth Policy Institute Afterschool Program

**2:50 p.m.** Committee meetings (Finance, Instruction, Parent Advocacy, and Personnel) may take place at the end of the school day.

After School Robotics and Tutoring classes begin.

**2:50 p.m.** Staff Meetings are held on Wednesdays as needed.

**3:30 p.m.** Office Assistant leaves for the day.

**4:00 p.m.** Office Manager leaves for the day.

**5:30 p.m.** STEM Academy's afterschool program ends.  
Parents check students out at assigned gates.

**5:45 p.m.** YPI Afterschool Program ends.  
Parents check students out at assigned gates.

Most staff members will have departed for the day unless parents have requested a late conference or council or parent informational meetings have been scheduled for the community. Custodial staff will check all classrooms, offices, and gates to insure all areas are locked and inaccessible.

**8:00 p.m.** Custodian leaves for the day.

### **WASC ACCREDITATION**

STEM Academy had a WASC Initial Schools Visit on February 27, 2017. The WASC Visiting Committee awarded STEM a Three-Year Accreditation Status (through June 2020). The Visiting Committee team stated that there is a unique and innovative instructional model at Fenton STEM Academy, which prepares our students for success. The Visiting Committee encouraged STEM Academy to continue our data driven focus, targeted instruction, and sharing of best practices.

## **Element 2 – Measurable Pupil Outcomes and Element 3 – Method by which Pupil Progress Toward Outcomes will be Measured**

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

*“The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.” (Ed. Code § 47605(b)(5)(C).)*

### **MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM**

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

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

### **STANDARDIZED TESTING**

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

### **MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM**

The following outcomes will demonstrate the extent to which STEM Academy has met its established goals:

**Charter Goal 1:**     *Students will strive to master the rigorous academic content of the Common Core State Standards, and think critically and reflectively about their academic success, accepting personal responsibility for improvement.*

❖ *LCAP Goal 1:     Increase Student Achievement*

### **Method of Measurement:**

Fenton STEM Academy will utilize formative and summative assessment data to monitor student achievement. Student achievement data will be collected daily, weekly, monthly and annually, both formally and informally to measure student progress. The Charter School will closely monitor the achievement of student data systematically to include the following demographic characteristics:

- Ethnicity
- Percentage of EL students
- Percentage of Special Education students
- Percentage of students qualifying for free/reduced price lunch
- Total enrollment

Publishers' tests will be used to determine consistent and continuous student progress toward state content standards. Assessments will be conducted based on the recommended schedule of each adopted program, but the general timeframe will call for regular and end-of-unit assessments for each state adoption.

With the implementation of CCSS, STEM Academy has selected CCSS aligned assessment tools to guide instruction. STEM Academy uses publisher's benchmark assessments to track progress of subgroups, grade levels and classrooms and then identify those in need of support. State assessment data will be used to identify needs and target professional development along with data from the Charter School's database, Illuminate Student Information™, NWEA® MAP Assessments online standardized, summative and formative assessments online, which enables our teachers to make data-driven decisions to improve classroom. Questions are aligned to CCSS and include innovative item types that require deeper thinking, such as selected response, including those with more than one correct answer, constructed response, and technology-enhanced items.

Teacher-developed assessments will contribute additional information to measure student progress, while anecdotal records and observation will provide the personalized, individualized information necessary to address the five learning systems of the brain and to maintain an effective learning environment for every student.

Where state adopted materials and assessments are not available (visual and performing arts, and physical education), teacher-designed assessments aligned with the Content Standards of the State of California and the Common Core State Standards and the pacing schedules developed by Fenton STEM Academy staff members responsible for each of the above named curricular areas will determine levels of progress toward mastery of respective standards at each trimester reporting period.

**Charter Goal 2:**        *Students will build a foundation for a responsible work ethic by regular and punctual attendance.*

- ❖ **LCAP Goal 2:**    *Increase Meaningful and Purposeful Student, Teacher, and Parent Engagement*
- ❖ **LCAP Goal 3:**    *Basic Condition for Learning*

**Method of Measurement:**

Fenton STEM Academy will share a full-time attendance officer with the other Fenton Charter Public Schools, who will monitor student attendance and assist with communication with parents to ensure punctual and consistent attendance. Administrators, teachers, and the Charter School community will review attendance and communicate with families struggling with regular and punctual attendance. STEM Academy will continue to have various incentives for students who are in attendance 100% of the time monthly, full semester, and yearly. These incentives include, but are not limited to, collectable brag tags, classroom banners, free dress days, awards, and medals.

**Charter Goal 3:**        *Students will master English language skills to fully access all educational, social, cultural and employment opportunities of mainstream society.*

- ❖ **LCAP Goal 1:**    *Increase Student Achievement*

**Method of Measurement:**

English Learners will increase individual **ELPAC scores** for the majority of the years covered by this renewal petition and is assessed annually. The Charter School is working on this outcome in the following school year. The Charter School is implementing the new English Language Development standards this school year and administer the ELPAC.

STEM Academy's **reclassification rate** will meet or exceed the District's reclassification rate for the majority of years of this charter renewal petition when compared by grade level.

Progress toward mastery of English Language Development standards will be monitored and documented on the STEM Academy ELD Portfolio twice a year for all English Learners and the first two years for students who reclassify.

**Goal 4:**                *Students will demonstrate pro-social behavior with a sense of responsibility to their peers, home and community.*

- ❖ **LCAP Goal 2:**    *Increase Meaningful and Purposeful Student, Teacher, and Parent Engagement*
- ❖ **LCAP Goal 3:**    *Basic Condition for Learning*

### **Method of Measurement:**

The number of *referrals* for disruptive classroom behavior and negative playground interactions will decrease yearly. Data on student behavior will be maintained through Fenton STEM Academy's Illuminate Education database. Yale University's Mutt-i-grees End-of-the-Year Survey will be administered annually to all students.

The California Department of Education's Healthy Kids Survey will be administered to all 5<sup>th</sup> grade students. The survey measures attitudes, behaviors, and experiences related to school and learning.

### **MEASURABLE PUPIL OUTCOMES: SUMMATIVE ASSESSMENT PERFORMANCE TARGETS**

#### **PERFORMANCE TARGETS ALIGNED TO STATE PRIORITIES**

<b>STATE PRIORITY</b>	<b>GOALS</b>	<b>PERFORMANCE TARGET 2019-20</b>	<b>PERFORMANCE TARGET 2020-21</b>	<b>PERFORMANCE TARGET 2021-22</b>
#1 – Teachers, Student Access to instructional materials, and Facilities in good repair	LCAP Goal 3: Provide an appropriate basic condition of learning.	School will fully implement CCSS state-adopted ELA and Math academic content and performance standards by 2015-16 school year for all students, including all student subgroups (Hispanic/Latino, Socioeconomically Disadvantaged, English Learners, Students with Disabilities), unduplicated students and students with exceptional needs (including foster youth), including expanding opportunities for students to engage in critical thinking tasks and differentiated instruction.	School will fully implement CCSS state-adopted ELA and Math academic content and performance standards by 2015-16 school year for all students, including all student subgroups (Hispanic/Latino, Socioeconomically Disadvantaged, English Learners, Students with Disabilities), unduplicated students and students with exceptional needs (including foster youth), including expanding opportunities for students to engage in critical thinking tasks and differentiated instruction.	School will fully implement CCSS state-adopted ELA and Math academic content and performance standards by 2015-16 school year for all students, including all student subgroups (Hispanic/Latino, Socioeconomically Disadvantaged, English Learners, Students with Disabilities), unduplicated students and students with exceptional needs (including foster youth), including expanding opportunities for students to engage in critical thinking tasks and differentiated instruction.

STATE PRIORITY	GOALS	PERFORMANCE TARGET 2019-20	PERFORMANCE TARGET 2020-21	PERFORMANCE TARGET 2021-22
		<p>Teachers will participate in ongoing professional development on the implementation of CCSS and new CCSS-aligned assessments.</p> <p>School facilities are clean and maintained in good repair with daily spot checks and Site Inspection Lists &gt; 90% of items in compliance or good standing. Target: More than 90% of items in compliance.</p>	<p>Teachers will participate in ongoing professional development on the implementation of CCSS and new CCSS-aligned assessments.</p> <p>School facilities are clean and maintained in good repair with daily spot checks and Site Inspection Lists &gt; 90% of items in compliance or good standing. Target: More than 90% of items in compliance.</p>	<p>Teachers will participate in ongoing professional development on the implementation of CCSS and new CCSS-aligned assessments.</p> <p>School facilities are clean and maintained in good repair with daily spot checks and Site Inspection Lists &gt; 90% of items in compliance or good standing. Target: More than 90% of items in compliance.</p>
#2 – Implementation of Academic Content standards as adopted by the state	<p>Charter Goal 1: Students will strive to master the rigorous academic content of the Common Core State Standards, and think critically and reflectively about their academic success, accepting personal responsibility for improvement.</p> <p>LCAP Goal 3: Provide an appropriate basic condition of learning.</p>	<p>All students will have access to standards-aligned Instructional materials. Target: 100% using SARC.</p> <p>Implement the CCSS in ELA and Math across all grades. Target: 100%</p>	<p>All students will have access to standards-aligned Instructional materials. Target: 100% using SARC.</p> <p>Implement the CCSS in ELA and Math across all grades. Target: 100%</p>	<p>All students will have access to standards-aligned Instructional materials. Target: 100% using SARC.</p> <p>Implement the CCSS in ELA and Math across all grades. Target: 100%</p>
#3 – Parent Involvement (Engagement)	Charter Goal 4: Students will demonstrate pro-	School will provide multiple opportunities for	School will provide multiple opportunities for	School will provide multiple opportunities for



STATE PRIORITY	GOALS	PERFORMANCE TARGET 2019-20	PERFORMANCE TARGET 2020-21	PERFORMANCE TARGET 2021-22
	<p>social behavior with a sense of responsibility to their peers, home and community.</p> <p>LCAP Goal 2: School will increase meaningful and purposeful student, teacher, and parent engagement.</p>	<p>parent involvement in school and ease of home-school communication; and ensure continued parent representation in decision-making at all levels of school operations.</p> <p>Parents' sense of connectedness to school. Target 75% using school climate survey.</p> <p>Continue to achieve &gt;80% positive results on Annual Stakeholder Satisfaction Surveys.</p>	<p>parent involvement in school and ease of home-school communication; and ensure continued parent representation in decision-making at all levels of school operations.</p> <p>Parents' sense of connectedness to school. Target 80% using school climate survey.</p> <p>Continue to achieve &gt;80% positive results on Annual Stakeholder Satisfaction Surveys.</p>	<p>parent involvement in school and ease of home-school communication; and ensure continued parent representation in decision-making at all levels of school operations.</p> <p>Parents' sense of connectedness to school. Target 85% using school climate survey.</p> <p>Continue to achieve &gt;80% positive results on Annual Stakeholder Satisfaction Surveys.</p>
#4 – Student Achievement (Performance)	<p>Charter Goal 1: Students will strive to master the rigorous academic content of the Common Core State Standards, and think critically and reflectively about their academic success, accepting personal responsibility for improvement.</p> <p>Charter Goal 3: Students will master English language skills to fully access all educational, social, cultural and employment</p>	<p>School will show Annual progress towards meeting the needs of all students on the California School Dashboard Status and Change Report and Equity Report.</p> <p>Percentage of students and subgroups scoring standard met or exceeded on CAASPP will grow each year.</p> <p>EL reclassification rate will meet or exceed the</p>	<p>School will show Annual progress towards meeting the needs of all students on the California School Dashboard Status and Change Report and Equity Report.</p> <p>Percentage of students and subgroups scoring standard met or exceeded on CAASPP will grow each year.</p> <p>EL reclassification rate will meet or exceed the</p>	<p>School will show Annual progress towards meeting the needs of all students on the California School Dashboard Status and Change Report and Equity Report.</p> <p>Percentage of students and subgroups scoring standard met or exceeded on CAASPP will grow each year.</p> <p>EL reclassification rate will meet or exceed the</p>

<b>STATE PRIORITY</b>	<b>GOALS</b>	<b>PERFORMANCE TARGET 2019-20</b>	<b>PERFORMANCE TARGET 2020-21</b>	<b>PERFORMANCE TARGET 2021-22</b>
	<p>opportunities of mainstream society.</p> <p>LCAP Goal 1: Increase Student Achievement.</p>	<p>District's reclassification rate.</p> <p>All students will demonstrate progress toward proficiency (or above) of grade level Common Core State Standards on internal comparative data.</p>	<p>District's reclassification rate.</p> <p>All students will demonstrate progress toward proficiency (or above) of grade level Common Core State Standards on internal comparative data.</p>	<p>District's reclassification rate.</p> <p>All students will demonstrate progress toward proficiency (or above) of grade level Common Core State Standards on internal comparative data.</p>
#5 – Student Engagement (Attendance)	<p>Charter Goal 2: Students will build a foundation for a responsible work ethic by regular and punctual attendance.</p> <p>LCAP Goal 3: Provide an appropriate basic condition of learning.</p>	<p>The Charter School will continue to maintain a high ADA rate of &gt;95%.</p>	<p>The Charter School will continue to maintain a high ADA rate of &gt;95%.</p>	<p>The Charter School will continue to maintain a high ADA rate of &gt;95%.</p>
#6 – School Climate (Suspension and Expulsion Rates, Safety, Surveys)	<p>Charter Goal 2: Students will build a foundation for a responsible work ethic by regular and punctual attendance.</p> <p>Charter Goal 4: Students will demonstrate pro-social behavior with a sense of responsibility to their peers, home and community.</p> <p>LCAP Goal 2: School will increase meaningful and purposeful student,</p>	<p>Suspension rate will be maintained at &lt; 1% of student population</p> <p>Expulsion rate will be maintained at &lt; 1% of student population</p>	<p>Suspension rate will be maintained at &lt; 1% of student population</p> <p>Expulsion rate will be maintained at &lt; 0.75% of student population</p>	<p>Suspension rate will be maintained at &lt; 1% of student population</p> <p>Expulsion rate will be maintained at &lt; 0.5% of student population</p>

<b>STATE PRIORITY</b>	<b>GOALS</b>	<b>PERFORMANCE TARGET 2019-20</b>	<b>PERFORMANCE TARGET 2020-21</b>	<b>PERFORMANCE TARGET 2021-22</b>
	teacher, and parent engagement.			
#7 – Course Access	Fenton STEM Academy is a school for TK through 5th grade with an age range of 4 to 11 year olds. The courses offered are standard elementary school courses with the following core subjects: language arts with English language development, mathematics, social studies, and science. The non-core subjects taught are visual arts and physical education.			
#8 – Other Student Outcomes	LCAP Goal 1: Increase Student Achievement.	Continue to provide broad academic and enrichment opportunities for all students.	Continue to provide broad academic and enrichment opportunities for all students.	Continue to provide broad academic and enrichment opportunities for all students.

### **OTHER PERFORMANCE TARGETS**

#### **Measuring Student Academic Performance and Growth**

Fenton STEM Academy uses a variety of assessments to measure student academic performance and growth. Below is a table that describes the core subjects taught, assessments used for the subject, guiding documents and reports created with each assessment, and the audience and purpose for the assessment:

Subject	Assessments	Reports	Audience and Purpose
Language Arts	<ul style="list-style-type: none"> <li>- Publisher's Assessments – <i>Benchmark Advance</i></li> <li>- Istation - Online</li> <li>- NWEA® MAP – Reading and Language Assessments</li> <li>- Educational Software for Guiding Instruction (“ESGI”) – Phonics, letter and sound recognition, sight words</li> </ul>	<ul style="list-style-type: none"> <li>- School created CCSS Report Card</li> <li>- School created Progress Report</li> <li>- Illuminate Data Reports</li> <li>- ESGI Progress Reports for parents</li> <li>- Istation – Online progress reports</li> <li>- School Wide Progress Reports using NWEA and Illuminate</li> </ul>	<ul style="list-style-type: none"> <li>- Report Cards for parents provided three times a year to provide a detailed report of student progress</li> <li>- Periodic progress reports of student progress are provided for parents throughout trimester</li> <li>- Illuminate data reports are generated to measure and analyze progress and performance by student, grade level, and school site</li> <li>– Data is shared at Instruction Committee and organization wide at FCPS Board Meetings (Directors’ Reports)</li> <li>- ESGI reports progress reports for parents on the basic skills of reading</li> <li>- Istation – Online progress reports for teachers and parents</li> <li>- NWEA® MAP will provide school wide performance data and descriptions of growth. We are currently in our fourth year of use.</li> </ul>

English Language Development	<ul style="list-style-type: none"> <li>- Publisher's Tests – Benchmark Advance</li> <li>- Istation – Online</li> <li>- English Language Retell Assessment</li> <li>- ELPAC</li> </ul>	<ul style="list-style-type: none"> <li>- Annual and Initial parent notices for EL students</li> <li>- ELDRA/ELD Folder</li> <li>- Istation – Online progress reports</li> <li>- ELPAC Individual and state reporting</li> </ul>	<ul style="list-style-type: none"> <li>- Progress monitoring for teachers and school</li> <li>- ELDRA provides additional specific data on student listening and speaking skills</li> <li>- Istation – Online progress reports</li> <li>- ELPAC provides parents and teachers with reports</li> </ul>
Mathematics	<ul style="list-style-type: none"> <li>- Publisher's Assessments - My Math</li> <li>- NWEA® MAP</li> </ul>	<ul style="list-style-type: none"> <li>- School created CCSS Report Card</li> <li>- School created Progress Report</li> <li>- Illuminate Data Reports</li> </ul>	<ul style="list-style-type: none"> <li>- Report Cards for parents provided three times a year to provide a detailed report of student progress</li> <li>- Progress reports for parents are provided for parents between report cards and gives an overview of student progress</li> <li>- Illuminate data reports are created to measure progress and performance by student, grade level, and school wide – Reports are shared with school at Instruction Committee and organization wide at FCPS Board Meetings</li> </ul>
Science	<ul style="list-style-type: none"> <li>– Mystery Science</li> </ul>	<ul style="list-style-type: none"> <li>- School created CCSS Report Card</li> <li>- School created Progress Report</li> <li>- Teacher created assessments</li> </ul>	<ul style="list-style-type: none"> <li>- Report Cards for parents provided three times a year to provide a detailed report of student progress</li> <li>- Progress reports for parents are provided for parents between report cards and gives an overview of student progress</li> </ul>

Social Studies	<ul style="list-style-type: none"> <li>- Publisher's Assessments – <i>Reflections</i> by Harcourt</li> </ul>	<ul style="list-style-type: none"> <li>- School created CCSS Report Card</li> <li>- School created Progress Report</li> <li>- Teacher created assessments</li> </ul>	<ul style="list-style-type: none"> <li>- Report Cards for parents provided three times a year to provide a detailed report of student progress</li> <li>- Progress reports for parents are provided for parents between report cards and gives an overview of student progress</li> </ul>
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### **Teacher Leadership**

Fenton STEM Academy takes a collaborative and systematic approach when selecting assessments and analyzing data. Lead Teachers for each grade level, including special education, create pacing and assessment plans annually. Lead Teachers share assessment choices and data vertically to ensure consistency. Lead Teachers also meet with administration regularly to discuss grade level needs. The entire team also participates in monthly Instruction Committee meetings where topics are discussed, providing all stakeholders a “voice” and new plans are approved. The Instruction Committee provides monthly formal minutes to the STEM Academy staff, FCPS organization via email and the FCPS Board of Directors at the monthly Board meetings.

### **Summative Assessments**

Fenton STEM Academy will utilize summative assessment data to monitor student achievement. Summative assessments consist of Beginning/End of Year assessments given twice a year and periodic benchmark assessments. Student achievement data will be collected daily, weekly, monthly and annually, to measure student progress. Publishers' tests will be used to determine consistent and continuous student progress toward state content standards. Assessments will be conducted based on the recommended schedule of each adopted program, but the general timeframe calls for regular and end-of-unit assessments for each state adoption.

### **Benchmarks**

Benchmark testing will be conducted prior to finalizing student grades each trimester (every twelve weeks). Benchmark testing utilizes publisher tests in language arts, mathematics, English language development, and science.

NWEA® Measures of Academic Progress® computer adaptive assessments and Istation will be other methods the Charter School uses as a benchmark assessment. Istation is a Standards-based Adaptive Measurement (“SAM”) that utilizes an innovative computer-adaptive, Internet-based model to target the instructional level of each student by altering question difficulty based on previous answers. Once the test has been completed, the results are immediately available, providing an accurate evaluation of the student's abilities. This research-based program is a reliable, valid diagnostic test that has been shown to predict performance on standardized tests such as the CCSS aligned CAASPP and has been an effective tool for identifying specific student needs in schools with demographics similar to those of Fenton STEM Academy. Teachers utilize Illuminate and NWEA MAP® to collect, analyze and disaggregate data by individual students, classes, and grade-levels

Illuminate Education online database will be used by Fenton Charter Public Schools to monitor student achievement on benchmark assessments. Fenton STEM Academy will also tap into Illuminate to track student achievement and pro-social behavior. In addition to monitoring benchmark assessments, this database enables administrators and teachers to track and monitor student achievement on summative assessments including the CAASPP, ELPAC, Next Generation Science Standards assessment, the CAST Science assessment and publisher created benchmark assessments. Benchmark assessment data is clustered in alignment with the CAASPP data to enable the Charter School to track progress and predict growth.

### **Method for Measuring Pupil Progress Toward Outcomes: Formative Assessment**

Fenton STEM Academy will implement the use of formative assessment based on research and best practices. Some questions the Charter School will consider as a basis for formative assessment practices will determine if students participating in a task show certain knowledge, skills, and abilities (“KSA”) necessary for mastery of the CCSS and NGSS. Some questions teachers might consider are (*Trumbull et al., 2013*):

#### **Knowledge, Skills, and Abilities**

- What KSA(s) do I wish to assess (e.g., knowledge, skills, processes, understanding toward competency in a particular part of a domain)?
- What is the cognitive/developmental path (i.e., learning trajectory) I would expect to see with regard to these KSAs?
- What evidence (i.e., observable features of students’ performances and responses) would I need in order to determine the student’s level of KSAs?
- What are the characteristics of tasks that will elicit this evidence?
- What KSAs that are *not* wanted (e.g., unnecessarily complex language, need for speed of response) might this type of formative assessment process introduce?
- How can I modify my formative assessment process to make it inclusive for all students, to minimize the impact of nontarget KSAs?

*“Formative assessment calls upon teachers not only to determine whether students have learned something, but also to probe students’ ways of thinking to get at why any learning gaps exist. In addition to using assessment evidence to plan future instruction, teachers are expected to use it to help students (1) judge the state of their own knowledge and understanding, (2) identify the demands of a learning task, (3) judge their own work against a standard, (4) grasp and set learning goals, and (5) select and engage in appropriate strategies to keep their learning moving forward (Andrade, 2010; Black & William, 1998b, 2009; Bransford et al., 2000; Heritage, 2010b; Stiggins, Arter, Chappuis, & Chappuis, 2009). These metacognitive skills are critical to the development of intentional learning and of independent, self-propelled learners who can regulate their own learning and self-correct as needed (Bransford et al., 2000).”*

*-Trumbull & Lash, 2013*

## **DATA ANALYSIS AND REPORTING**

The Instruction Committee, an advisory committee that reports to the Board of Directors, will continue to analyze student assessment data at regularly scheduled monthly meetings. Lead Teachers will review percentages on weekly publishers' tests for each classroom along with other teacher-developed assessments, anecdotal records, and trimester grades prior to each reporting period for school progress reports. Positive as well as negative results will be shared by Lead Teachers and evaluated by the committee to determine the specific causes for upward and downward trends, and action will be taken to modify or revise current instructional practices as necessary.

The administrative staff will disaggregate data from the Charter School's Illuminate database for each curricular area, grade level, and significant subgroup. This analysis will focus STEM's efforts to keep pace with the state and District, and to be aware of the promising practices of the educational community-at-large.

All findings from the analysis will continue to drive the allocation of the STEM's resources. The Instruction Committee based on careful analysis of student achievement data will make funding recommendations and the scheduling of professional development activities. This committee's recommendation will be passed on to the Finance Committee for fiscal review. Both bodies are advisory committees and report to the Board of Directors. Final determination of implementation of all policies and initiatives will be the responsibility of the Board of Directors.

The Parent Advocacy Committee, an advisory committee that reports to the Board of Directors, conducts evening meetings for parents and school community members to share school-wide results in the fall and spring of each school year. Individual student test score results are shared with parents in a timely manner, and discussed, interpreted and analyzed for parents by classroom teachers during parent conferences scheduled in the fall of each school year.

## **GRADING, PROGRESS REPORTING, AND PROMOTION/RETENTION**

In 2013, Fenton Charter Public Schools moved from an achievement-based to a standards-based report card and from an overall grade in a subject area to a grade in each standard; in 2014, Fenton Charter Public Schools modified its report card to align with the Common Core State Standards. Fenton STEM Academy utilizes the FCPS Report Card for TK-5 grade.

Grades are entered through the Illuminate Education website. Below is the grading scale the Charter School uses:

### **Criteria for Achievement Grades**

**4 - A 4 is given to students who:** Demonstrate mastery at 90 - 100% proficiency of the standards introduced in class work, assessments, and teacher observation.

**3 - A 3 is given to students who:** Demonstrate mastery at 70 - 89% proficiency of the standards introduced in class work, assessments, and teacher observation.



**2 - A 2 is given to students who:** Demonstrate mastery at 50 - 69% proficiency of the standards introduced in class work, assessments, and teacher observation.

**1 - A 1 is given to students who:** Demonstrate mastery at 49% - below proficiency of the standards introduced in class work, assessments, and teacher observation.

**Criteria for Effort Grades  
(Successful Learner Behaviors)**

**O - Outstanding is given to students who:** Do significantly more than is required in terms of length and/or quality of assignments.

**G - Good is given to students who:** Do more than is required in terms of length and/or quality of assignments.

**S - Satisfactory is given to students who:** Do what is expected/required in terms of the quality of work.

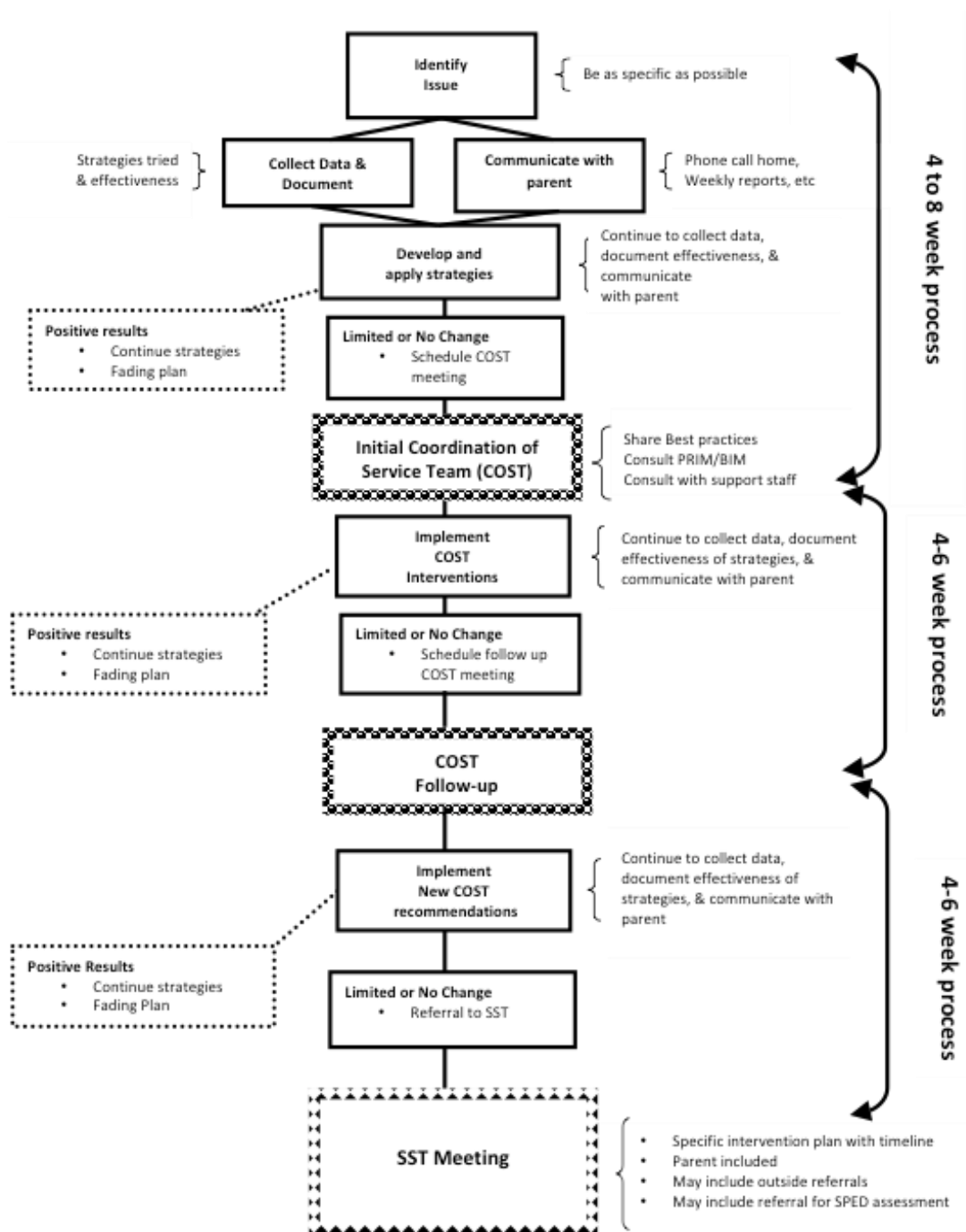
**N - Needs Improvement is given to students who:** Do not achieve what is expected in terms of the quality of work required.

STEM Academy also provides periodic progress reports monthly to parents to convey how students are doing between report cards and how they are held accountable for their academic success, and in turn, how teachers are accountable for record-keeping and tracking students' progress and growth. Within two years, the Charter School plans on implementing the parent portal on Illuminate that will give parents online access to student progress. This system will provide instant progress monitoring for parents.

Students who struggle with meeting the expected goals, consistently not meeting standards, or entering school significantly below as other students in the same grade level are reviewed individually using Coordination of Services Team meetings. These meetings are held 2-3 times a year, or as necessary, to support struggling students. If a student continues to struggle, a Student Study Team meeting is held to discuss student needs and address specific interventions that have been tried. The SST team meeting is held with the parent present to provide the team with additional information outside of the Charter School's academic focus.

The Charter School reviews each child on a case-by-case basis. An assessment is considered at any time during this process. If a student continues to struggle for three semesters an SST meeting can determine the need for special education assessment(s). The Charter School's intervention flowchart is given to every teacher and reviewed at the beginning of every school year. This flowchart provides teachers with a guideline on intervention.

## Intervention Flow Chart



The Charter School's goal is to promote every child. However, if a child continues to perform below grade level standards, retention may be considered. Grade level teachers, the Charter School's academic support team and administration collaboratively review each recommendation and provide a final recommendation. Parent participation is a key factor in determining retention. Parents are notified by the first parent conference in November if the child is at risk of retention. Parents meet with the classroom teacher to review the final recommendation and sign-off for final

consent. The Charter School reviews its overall retention process annually and makes any necessary changes in the fall.

### **STANDARDIZED TESTING**

Fenton STEM Academy participates in all required statewide testing and will meet all statewide standards applicable to the grade levels served. The Charter School will continue to maintain up-to-date data and follow all submission deadlines to CALPADS and provide the District with copies of the submitted data.

## **Element 4 – Governance**

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

### **GENERAL PROVISIONS**

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

Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

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

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

### **LEGAL AND POLICY COMPLIANCE**

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action.<sup>25</sup>

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

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

Charter School and all employees and representatives of Charter School, including members of Charter School’s governing board, members of Charter School or governing board committees and councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD charter school policy, regarding ethics and conflicts of interest. Charter School shall enter into all transactions and conduct business with all persons and

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<sup>25</sup>The District is in the process of compiling a list of LAUSD policies that apply to its authorized charter schools. The list will be finalized by April 1, 2018. Charter Schools Division staff will annually review District policies and make recommendations to the LAUSD Board of Education on continued application to charter schools.

entities at arm's length or, in the case of otherwise permissible related party transactions, in a manner equivalent to arm's length.

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

## **TITLE IX, SECTION 504, AND UNIFORM COMPLAINT PROCEDURES**

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

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

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

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

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

## **RESPONDING TO INQUIRIES**

Charter School, including its nonprofit corporation shall promptly respond to all reasonable inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School acknowledges that Charter School, including but not limited to its nonprofit corporation, is subject to audit by LAUSD,

including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current, complete, and accurate contact information for Charter School, Charter School administrators, and Board members.

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

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

### **NOTIFICATION OF THE DISTRICT**

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

### **STUDENT RECORDS**

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

### **PARENT ENGAGEMENT**

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

## **FEDERAL PROGRAM COMPLIANCE**

As a recipient of federal funds, Charter School has agreed to meet all applicable programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) and other applicable federal programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of ESEA and other applicable federal programs. Charter School also acknowledges that, as part of its oversight of Charter School, the District may conduct program review for federal as well as state compliance.

## **GOVERNANCE STRUCTURE**

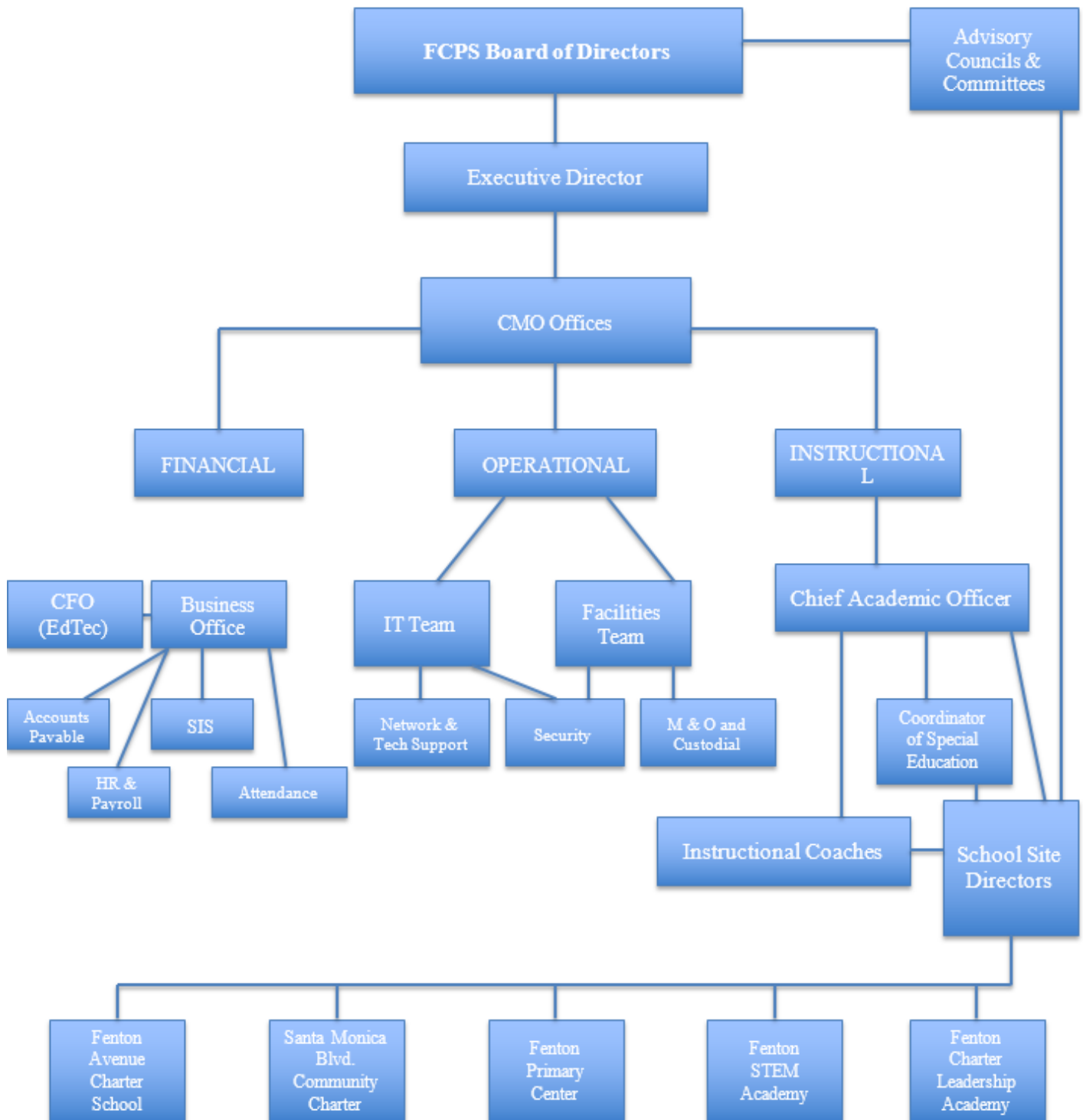
Fenton STEM Academy is a directly funded independent charter school and is operated by Fenton Charter Public Schools. The Charter School will continue to be operated by FCPS, a California Nonprofit Public Benefit Corporation pursuant to California law.

The Charter School operates autonomously from the District, with the exception of supervisory oversight as required by statute and other contracted services as negotiated between the District and the Charter School.

The Charter School community fully understands and appreciates the responsibility that fiscal independence and nonprofit status requires, and will continue to implement a collaborative structure that allows every staff member, and encourages every parent and community member, to become full partners in school improvement efforts.

# FENTON CHARTER PUBLIC SCHOOLS

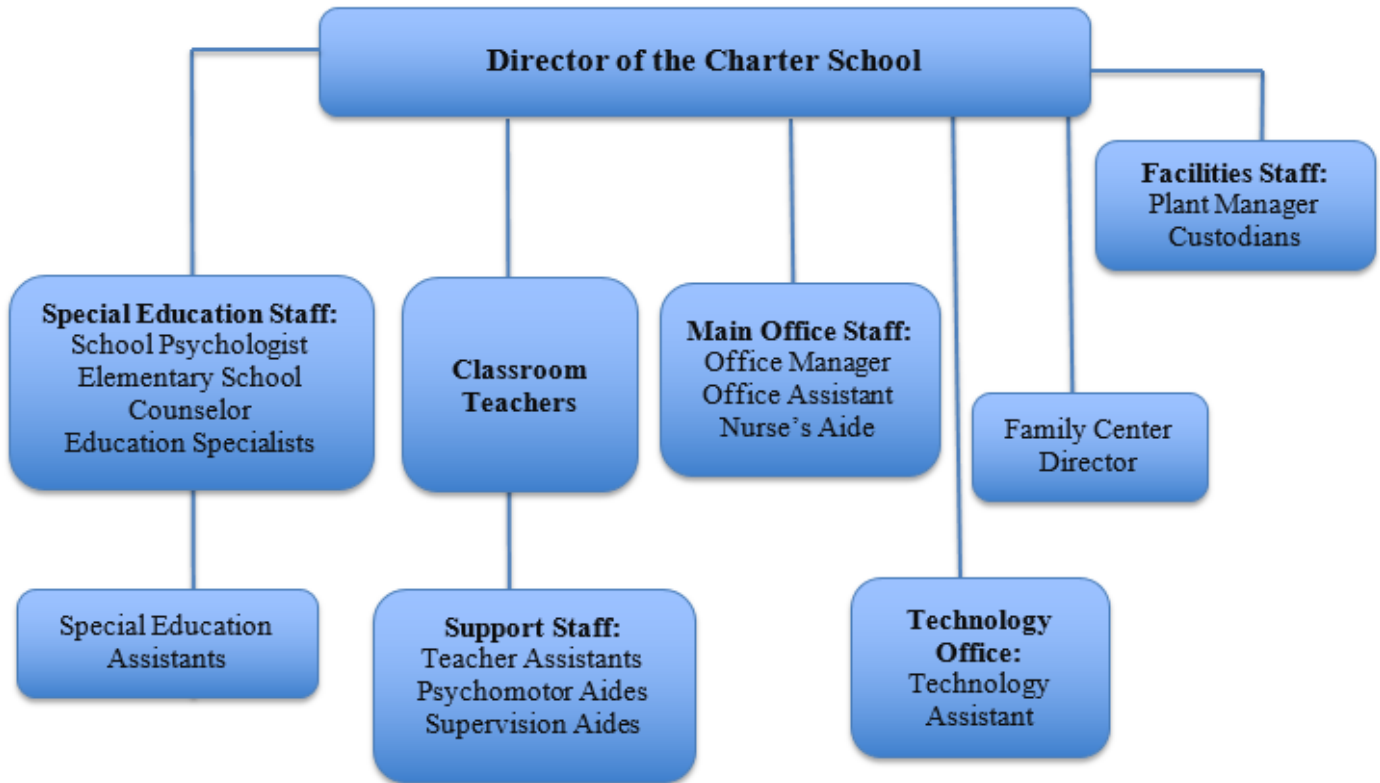
## Organizational Chart





# **FENTON STEM ACADEMY: Elementary Center for Science, Technology, Engineering and Mathematics**

## **Organizational Chart**



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

Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the corporation’s activities and affairs are managed, and all corporate powers are exercised, by or under the direction of the Board of Directors. Without prejudice to the general powers set forth above, but subject to the same limitations, the Board of Directors has the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.

- b. Change the principal office or the principal business office in California from one location to another; cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California; and designate a place in California within the boundaries of Los Angeles Unified School District for holding any meeting of members within the geographic area of the schools it serves.
- c. Borrow money and incur indebtedness on the corporation's behalf and cause to be executed and delivered for the corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- d. Adopt and use a corporate seal; prescribe the forms of membership certificates; and alter the forms of the seal and certificates.

In addition to the duties listed above, the Board's roles and responsibilities include, but are not limited to, the following:

- Hire, supervise, evaluate, discipline, and dismissal of the administrator of the Charter School;
- Hire, promote, discipline and dismiss all employees of the Charter School after consideration of a recommendation by the Executive Director;
- Approve all contractual agreements;
- Approve and monitor the implementation of general policies of the Charter School. This includes effective human resource policies for career growth and compensation of the staff;
- Approve and monitor the Charter School's annual budget and budget revisions;
- Act as the 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 (e.g., monthly review of profit and loss statement, balance sheet, cash flow analysis, and revenue statement; review of interim reports, unaudited actuals and final audit; review and approval of initial and final annual budget, and any budget revisions);
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;
- Establish operational committees as needed;
- Regularly measure progress of both student and staff performance;
- Involve parents and the community in school related programs;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning;
- Review request for out of state or overnight field trips;
- 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;
- Appoint an administrative panel for recommended student expulsions and hear expulsion appeals.

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

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.

Executive-level employees include the Executive Director, Chief Academic Officer (“CAO”), and Chief Financial Officer (“CFO”)/Treasurer (currently EdTec), neither of whom serves on the Board.

The Executive Director is the general manager of the corporation and supervises, directs, and controls the corporation’s activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The Executive Director has such other powers and duties as the Board of Directors or the bylaws may require.

The CAO serves as the Chief Academic Officer and Superintendent of the Fenton Charter Public Schools and is responsible for both sustaining and improving the culture of high academic excellence and school improvement. The CAO has direct accountability for the academic performance of all schools, and provides leadership and expertise for curriculum, instruction, and school improvement.

The Chief Academic Officer also does the following: (a) serves as the instructional leader of FCPS; (b) communicates with the FCPS board regarding instructional decisions, materials, research, and seeks out opportunities for improvement; (c) decides or guides courses of action in instructional policy decisions, utilizing year-to-year performance data to support course of action; (d) oversees all curricular and instructional matters including decisions regarding hiring of instructional staff, purchasing of materials and resources for the classroom, and all matters related to instructional compliance.

The Chief Financial Officer/Treasurer (currently EdTec) keeps and maintains, or causes to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The CFO sends or causes to be given to the Board such financial statements and reports as are required to be given by law, or as requested by the Board. The books of account are open to inspection by any board member at all reasonable times.

The CFO also does the following: (a) deposits, or causes to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board of Directors may designate; (b) disburses the corporation's funds as the Board of Directors may order; (c) renders to the Executive Director, Chairman of the Board, and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the corporation;.

### **GOVERNING BOARD COMPOSITION AND MEMBER SELECTION**

The FCPS Board maintains at least five (5), but no more than eleven (11) directors at all times. The Board composition includes community representatives (the majority) and one to three parent representatives from FCPS schools. Each director holds office, unless otherwise removed from office, in accordance with the approved bylaws for two (2) years and until a successor director has been designated as described below. Directors may be nominated by an ad hoc Nominating Committee for an additional two-year term when their terms expire and Directors are staggered.

Yearly, the Chairman of the Board of Directors appoints a committee to designate qualified candidates for election to the Board of Directors at least thirty (30) days before the date of any designation of directors. The nominating committee, composed of current board members, recommends a list of all candidates and the board reviews and votes to approve new members at the next regularly scheduled meeting.

Qualifications for all directors are generally the ability to attend board meetings, and a willingness to actively support and promote Fenton Charter Public Schools. The Board as a whole includes members of the community who reflect the broad base of public support for the corporation. Community members are sought who have strong ties and recognition in the local community through volunteer activities, philanthropy, public employment, or local business. Board members have experience in one or more of the following areas: education, government, law, business, finance/accounting, fundraising, facilities, or public relations.

No person serving on the Board of Directors may be an interested person. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

## **GOVERNANCE PROCEDURES AND OPERATIONS**

The FCPS Board of Directors meets regularly, at least eight times during the school year and in accordance with the Brown Act. All directors are designated at the corporation's annual meeting of the Board of Directors, which is held in the second month of the new school year. Meetings are held at one of the FCPS school sites on a rotating basis, unless otherwise scheduled by the Board of Directors. The schedule of regular meetings for the upcoming school year is determined by the board at the last meeting of the school year.

A majority of the directors then in office shall constitute a quorum. If a quorum is present, the affirmative vote of the majority of Directors present at the meeting voting on any matter shall be a decision of the Board of Directors. 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 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.

The Charter School shall comply with the Brown Act, including, but not limited to, posting of agendas in a public location at least 72 hours in advance of regularly scheduled meetings, provision for public comment at Board meetings, and publishing and posting of minutes in a public location. Typically, board meetings are scheduled once a month. Governing board and committee agendas are posted at the FCPS Business Office and at each school site.

The Charter School has adopted a Conflict of Interest Code that complies with the Political Reform Act, LAUSD's interpretation of Government Code Section 1090, Corporations Code conflict of interest rules, and which shall be updated with any charter school specific conflicts of interest laws or regulations. As required, the Conflict of Interest Code has been submitted to the County Board of Supervisors for approval.

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

### **STAKEHOLDER INVOLVEMENT**

The Charter School utilizes four Board advisory committees as a means for soliciting stakeholder input, and for supporting the work of the Board. Staff, parents and community members may participate in any committee, but may only serve as a voting member on one committee.

The Charter School will continue to provide multiple opportunities for parent involvement in school life and ease of home-school communication through the use of the school website that can be accessed by students and parents to view school information such as school documents, important dates, and as a current resource for announcing upcoming dates for events at the Charter School which community members may be interested in attending.

Staff, parents and community members will apply for a committee of their choice on an annual basis. Placement of staff members will be made by the prior year's representatives based on the employee's/parent's preference and the additional responsibilities of each individual. Every attempt will be made to proportionally distribute the membership of each committee, with a membership of between 10 and 20 members on each committee.

Each full-time employee must be a participating member of a committee. All other employees will be encouraged to participate.

Advisory committees shall comply with the Brown Act, including, but not limited to, posting of agendas in a public location at least 72 hours in advance of regularly scheduled meetings, provision for public comment at meetings, and publishing and posting of minutes in a public location.

The role of the advisory committees is detailed in a Board resolution, which is reviewed and approved annually.

- **Finance and Safety Committee**

- Tasks:

- Consult with Director to develop its LCAP and annual update;
    - Review yearly budget;
    - Review expenditures and cash flow;
    - Review budget adjustments as needed;
    - Review interim and year-end fiscal reports;
    - Recommend commission of annual fiscal audit;
    - Review the monitoring of average daily attendance ("ADA") and revenues;
    - Recommend fund reserves utilization;
    - Apply for grants and funds;
    - Solicit private and corporate donations;
    - Review Mandated Cost Reimbursement Program;
    - Review E-Rate Program;
    - Review contracts;

- Review facilities utilization and insure a safe campus;
  - Review long-range facilities plan;
  - Coordinate and oversee school emergency plans;
  - Review maintenance needs.
- **Instruction Committee**
    - Tasks:
      - Consult with the Director to develop its LCAP and annual update;
      - Review the implementation of State Board of Education-approved Common Core State Standards;
      - Ensure ongoing articulation among teachers and across grade levels:
        - Monitor scheduling of grade level meetings;
        - Monitor use of ELD portfolios;
        - Ensure the use of publishers' tests, Istation and other assessments as designated by the committee;
      - Review student outcomes annually and design action plans centered around the following assessment tools:
        - CAASPP;
        - ELPAC;
        - CELDT
        - *Istation*;
      - Recommend instructional materials, including all state adoptions;
      - Recommend a yearly plan and schedule for staff development activities;
      - Coordinate parent education activities related to instructional program with the Family Center;
      - Review ongoing implementation of Fenton STEM Academy's Technology Plan;
      - Review the Special Education program:
        - Recommend a plan and schedule for staff development related to serving students with disabilities;
        - Review compliance with federal and state regulations;
        - Review student assessment, placement, and mainstreaming of special education students;
      - Review the continuous implementation of a differentiated instructional program for English Learners, Title I and GATE students
- **Personnel Committee**
    - Tasks:
      - Consult with the Director to develop its LCAP and annual update;
      - Design and review the recruitment and selection process for personnel;
      - Develop employee job descriptions and contracts to be recommended to the Board of Directors;
      - Design the development of schedules and organization of classes to be recommended to the Board of Directors;
      - Review and recommend track and grade assignments (with Instruction Committee);

- Recommend policies related to leaves of absence, staff attendance, release and vacation days;
  - Review and recommend all decisions related to hiring;
  - Review and recommend annual school-wide salary adjustments and benefits (with Finance Committee);
  - Review staff evaluation process;
  - Review all personnel policies to determine they are in compliance with existing law.
- **Parent Advocacy Committee**
    - Tasks:
      - Consult with the Director to develop its LCAP and annual update;
      - Encourage community activities and recruitment of volunteers;
      - Function as the School Site Committee and Parent/Teacher/Student Association;
      - Monitor school-wide incentive programs;
      - Monitor and review policies for student and parent activities;
      - Advise the Family Center on parent education and related activities;
      - Review and revise the Home-School Agreement as needed.

Parents are involved in FCPS governance in myriad ways. The schools are represented on the Board of Directors by one to three parent representatives selected from the FCPS schools. Additionally, parents may sit on all Fenton STEM Academy advisory committees listed above. These are not elected positions; rather, all parents are invited to participate. Parents may also volunteer with the Charter School during field trips and in the classroom. The Charter School offers a number of school-wide events in which parent participation is encouraged.



## **Element 5 – Employee Qualifications**

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

### **EQUAL EMPLOYMENT OPPORTUNITY**

Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including but not limited to recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

### **ESEA/ESSA AND CREDENTIALING REQUIREMENTS**

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

### **EMPLOYEE POSITIONS AND QUALIFICATIONS**

#### **Site-Based and Charter Management Organization Employees**

The site-based employees are assigned to the Charter School. CMO positions service all FCPS schools. A job description and minimum and desirable qualifications for all are included.

#### **DIRECTOR JOB DESCRIPTION**

#### **Qualifications and Experience:**

##### ***Education:***

1. An earned master’s degree or advanced degree of at least equivalent standard from an accredited college or university;
2. An Elementary Teaching Credential, an administrative degree and an Administration Credential (*in progress*).

***Experience:***

No fewer than five years of full- time teaching service.

***Knowledge, Skills, Abilities, and Personal Characteristics:***

1. Knowledge of and ability to recognize the impact of the Fenton STEM Academy Renewal Petition, Employee Handbook, Evaluation Handbook and applicable state and federal laws and regulations.
2. Ability to organize and direct an educational program that provides for the social, emotional, and intellectual development of the elementary student, kindergarten through fifth grade.
3. Capacity to lead, direct, recognize, develop and supervise teachers and staff objectively.
4. Understanding of and sensitivity to diversity in the school community,
5. Knowledge of the relationship between the Charter School, the authorizing district, the state and federal agencies.
6. Ability to communicate effectively with students, parents, peers, other charter schools, district staff, and community representatives, both individually and as a group.
7. Knowledge of and skill in effective budgetary processes and school finance.
8. Leadership skill in facilitating group processes, including consensus building and conflict resolution.
9. Ability to make formal, public presentations.
10. Ability to compose and comprehend written communication.
11. Ability to respond quickly in an emergency situation.
12. Ability to cope with crisis situations.
13. Ability to complete all responsibilities independently and in a timely manner, and assume the responsibilities of the Director of a Fenton Charter Public School.

**Job Purpose:**

Serves as the instructional leader and administrator of Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Mathematics and assumes responsibility for the direction of the instructional program and the operation of the school plant.

**Responsible to:**

The Executive Director, the Chief Academic Officer, and the Board of Directors of Fenton Charter Public Schools.

**Major Job Responsibilities:****1. Maintain the vision of Fenton STEM Academy:**

Focus priorities and resources on improving the academic achievement of *all* students to high standards of excellence by providing leadership and support with continual emphasis on the specific mission of the Charter School.

## 2. **Serve as the instructional leader and chief administrator of Fenton STEM Academy:**

- Provide guidance, supervision and assistance in instructional practice while adhering to the policies and practices recommended by the four governing committees and approved by the Board of Directors:
  - Actively participate on Instruction Committee (and all other committees) sharing ideas, supporting best practices and innovative strategies relevant to the mission of the Charter School;
  - Oversee the focus, scheduling, and implementation of professional development activities ensuring alignment with the vision/mission of the Charter School;
  - Oversee and monitor the administration and review of periodic performance assessments and state mandated testing;
  - Actively participate in the Student Study Team process and attend IEP meetings as needed;
  - Monitor progress by entire grade levels and school-wide accomplishments and identify areas in need of improvement;
  - Assume full responsibility for WASC and other accreditation processes, completing all necessary documents;
  - Oversee management and maintenance of Fenton database (Illuminate) in collaboration with FCPS SIS Coordinator;
  - **Common Core Implementation:** Working in collaboration with Lead Teachers, research, plan and develop professional development and implementation of Common Core (publishers materials, bridge materials, PD, guiding the Charter School's Lead Teacher team, work with FCPS team to develop implementation across schools, etc.).
  - Actively participate in the implementation of the Common Core standards based report card.
  - Oversee state recommended materials adoptions following protocols established by the Instruction Committee.
- Ensure compliance with all state and federal programs through proper administration or reporting of:
  - CBEDS
  - School Accountability Report Card (SARC)
  - Fall Survey
  - Bilingual Survey
  - STAR Testing
  - ELPAC
  - Special Education program
- Plan and oversee reorganization of classes yearly, ensuring maintenance of class size and equitable composition of classes;
- Supervise and evaluate the teaching and classified staff:
  - Participate in hiring of teachers and other staff;
  - Review yearly salaries for all staff (with Executive Director);

- Maintain the highest level of security, confidentiality and integrity with regard to personnel files;
- Provide teacher and staff support through intervention, discipline as necessary and dismissal as warranted.

**3. Actively participate in the budgeting process for Fenton STEM Academy:**

- Work with the Executive Director to plan yearly school budget demonstrating a clear understanding of the correlation between the allocation of resources (both human and material) and effective budgeting;
- Monitor enrollment and attendance daily, enrolling new students, accounting for students who leave the Charter School, and work with the FCPS Attendance Officer to continuously monitor the Average Daily Attendance rate (ADA) by class and by grade;
- Monitor campus safety, security and risk management daily collaborating effectively with the FCPS Maintenance and Operations Manager and the Charter School's Plant Manager to remedy all emergencies immediately and any areas of concern in a timely manner;
- Monitor and approve all overtime allocations.

**4. Oversee the daily operation of the facility:**

- Responsible for daily safety and security of the site collaborating with the FCPS Maintenance and Operations Manager and Charter School Plant Manager as needed;
- Plan capital projects for facilities improvement working in collaboration with the FCPS Maintenance and Operations Manager;
- Oversee the Charter School's Student Information System (Illuminate) in collaboration with the SIS Coordinator;
- Plan, coordinate and create schedules:
  - Daily schedule
  - Weekly bulletin
  - Calendar for school year
- Responsible for creation of all communications between home and school:
  - Home-School Agreement
  - Student Responsibility Code
  - Technology Code of Ethics
  - Homework Policy
  - Textbook Contract
  - Parent Calendar
  - Holidays and Vacations
  - Assemblies and other special events
  - Opening and Closing Letters to Parents
  - Parent Conference Letters
  - All general correspondence as necessary
- Organize and implement an "Emergency Operations Plan";

- Ensure compliance with child abuse reporting procedures;
- Ensure the maintenance of a clean physical environment that is conducive to good health and safety;
- Oversee the quality of the food services program.

**5. Working in collaboration with the school psychologist, education specialists and other special education staff, oversee the implementation of the Charter School’s special education program:**

- Coordinate ongoing collaboration between special education and general education staff;
- Facilitate the implementation of instructional modifications, accommodations and behavioral interventions that support student achievement in the general curriculum;
- Coordinate the completion of all SELPA-related reporting requirements;
- Prepare for, coordinate and monitor all school self-reviews and District Validation Review (DVR) activities;
- Plan and coordinate special and general education programs to ensure that students with disabilities have access to the core curriculum in the least restrictive environment.
- Coordinate and oversee special education activities as related to the Option 3 SELPA mandates to ensure compliance.
- Attend IEP meetings.
- Access, use and manage student data in Welligent, including closing IEP meetings, overseeing service tracking and submitting 202 and 311 reports on time.

**6. Oversee all student discipline needs for Fenton STEM Academy:**

- Support and communicate the student discipline policy to students, parents and staff;
- Ensure the implementation of appropriate strategies and techniques to foster positive student behavior;
- Responsible for overall student discipline with final authority to suspend or expel students.

**7. Act as the internal “face and voice” of Fenton STEM Academy:**

- Attend all committee meetings, and any other meetings, events and activities as needed;
- Provide guidance, supervision, assistance and leadership for all members of Fenton STEM Academy staff;
- Maintain a school climate that ensures the safety, health, and welfare of the students and staff, while continually building a relationship of trust and confidence within the community;
- Act as the formal liaison between Fenton STEM Academy, parents and community members:
  - Attend local community functions related to education as requested;

- Be accessible and available for parent conferences and school-wide events at the school site and in the community.

**8. Ensure the successful transition of Fenton STEM Academy to the adopted leadership structure:**

- Meet with the Executive Director regularly to review responsibilities;
- Receive and act upon reviews of progress from the Board of Directors.

## **CLASSROOM TEACHER (CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. Bachelor's degree and preliminary or clear multiple subject teaching credential
2. EL authorization
3. Demonstrated subject matter competence (CBEST, CSET or equivalent as approved by the California Commission on Teacher Credentialing)

#### ***Experience:***

Job related experience is preferred, but not required.

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Thorough knowledge of and ability to conduct and implement a cognitively challenging instructional program as required by the instructional program described in the approved charter petition.
2. Ability to differentiate instruction to meet diverse student learning needs.
3. Ability to cooperate with the school faculty and administration in the development of a coherent program of instruction.
4. Ability to work effectively with students, parents, staff members, and community representatives in providing a rigorous educational program.
5. Thorough knowledge of content and pedagogy necessary for effective instruction; enthusiasm for, and imagination and creativity in teaching the necessary skills for academic success; and commitment to the education of all students.
6. Understanding of the physical, intellectual, social, and emotional development growth patterns of students.
7. Ability to communicate effectively including giving clear concise instructions, using academic language, and appropriate level of delivery, and listening without bias and providing appropriate feedback/reinforcement.
8. Ability to compose and comprehend written communication.

9. Ability to properly use and to care for the materials, supplies, and equipment employed in teaching.
10. Appropriate personal appearance, cleanliness, and manner.
11. Poise, tact, and good judgment, and commitment to the education of all students.
12. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
13. Mobility to traverse all areas of the work site.
14. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
15. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Teaches in a self-contained elementary classroom setting, kindergarten through sixth grade, creating a flexible program and environment favorable to learning and personal growth for all students; motivating students to develop skills, attitudes and knowledge needed to provide a strong foundation in accordance with each student's abilities and establishing positive relationships with parents and other staff members.

### **Responsible to**

Director of the Charter School

### **Major Job Responsibilities**

1. Teaches self-contained classes in kindergarten through grade six in elementary school setting, and/or other classes for which appropriately credentialed, using adopted textbooks and other instructional materials authorized by the Charter School.
2. Uses information about individual students' academic strengths, needs, and progress in planning.
3. Designs activities to engage students in cognitively challenging work aligned to California Common Core State Standards.
4. Uses resources that will promote high levels of learning and student engagement in the classroom environment.
5. Supports and cooperates with colleagues in order to promote a professional school culture.
6. Closely monitors student learning in order to understand how students are progressing toward the learning objectives and provides students with instructive and timely feedback that will move their learning forward.
7. Establishes a classroom environment that is safe and supportive, risk-taking is encouraged, students feel free to contribute their ideas, and teacher and student interactions are respectful and polite to promote a positive learning environment for all students.
8. Provides clear behavior expectations for students and monitors student behavior throughout the class and school campus.

9. Initiates or participates in Individualized Education Plan (IEP) meeting with administrators, faculty, parents and other parties involved to develop an IEP for eligible students.
10. Utilizes Charter School-approved behavior modification techniques to implement the IEP goals and continually monitors student progress toward IEP goal achievement.
11. Follows established policies and procedures for reporting incidents (e.g., child abuse, substance abuse, harassment, and violence).
12. Communicates with families to create a partnership around student learning by providing information about the instructional program and the progress of their child(ren).
13. Reflects on practice and student work to determine what went well and what changes could improve instruction and uses reflection to inform future instruction.
14. Evaluates the performance of subordinate personnel.
15. Performs other related duties as assigned.

## **TEACHER ASSISTANT (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. High school graduate or evidence of equivalent educational proficiency
2. In compliance with ESSA, the following qualifications must be met:
  - Passing score on Charter School Paraprofessional Examination  
**OR**
  - Completion of 60 semester units or 90 quarter units from a recognized college or university;  
**OR**
  - Associate degree or higher from a recognized college or university

#### ***Experience:***

Job related experience is preferred, but not required.

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of safety rules and procedures to be observed by students.
2. Ability to enforce safety and disciplinary rules.
3. Knowledge of standards of courtesy and behavior expected of students.
4. Knowledge of correct grammar.
5. Speaks English clearly and effectively.
6. Reads English aloud with ease.
7. Writes legibly on white board.
8. Ability to properly use and to care for teaching materials, supplies and equipment.
9. Learns to operate equipment such as copy machines and computers in the classroom.
10. Commitment to the education of students.
11. Appropriate manner, including poise, tact, and use of good humor.



12. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
13. Mobility to traverse all areas of the work site.
14. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
15. SPECIAL PHYSICAL REQUIREMENTS: Sufficient strength to safely lift and carry objects up to twenty (20) pounds; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Assists classroom teachers by performing a variety of routine classroom related tasks; helping with home-school communications; monitoring classrooms, halls, and play areas; all under the supervision of the classroom teacher or other certificated employee.

### **Responsible to**

Classroom Teacher and Director of the Charter School

### **Major Job Responsibilities**

1. Assists teachers or other certificated personnel in preparation for, carrying out, and following up on instruction to individual or small groups of students as assigned; may also assist with instructional materials, audio-visual equipment, and the maintenance of student records.
2. Assists teachers, school administrator and staff with maintaining control of assigned classes to ensure a suitable learning environment, both in classrooms and on school grounds.
3. May be assigned limited responsibility to teach specific subject matter, in which the teacher assistant has special skills or training, to a small group of students, under the immediate supervision of a teacher or other certificated personnel.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **PSYCHOMOTOR AIDE (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. High school graduate or evidence of equivalent educational proficiency
  2. In compliance with ESSA, the following qualifications must be met:
    - Passing score on Charter School Paraprofessional Examination
- OR**

- Completion of 60 semester units or 90 quarter units from a recognized college or university;  
**OR**
- Associate degree or higher from a recognized college or university

***Experience:***

Job related experience is preferred, but not required.

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of safety rules and procedures to be observed by students.
2. Ability to enforce safety and disciplinary rules.
3. Knowledge of standards of courtesy and behavior expected of students.
4. Knowledge of correct grammar.
5. Knowledge of games and sport in which students participate.
6. Ability to maintain acceptable standards of behavior among students.
7. Ability to maintain poise, exercise tact and good judgment.
8. Ability to encourage students in games and activities.
9. Ability to work effectively with other personnel, parents and students.
10. Speaks English clearly and effectively.
11. Reads English aloud with ease.
12. Commitment to the education of students.
13. Appropriate manner, including poise, tact, and use of good humor.
14. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
15. First Aid Certificate issued by a recognized first aid training program
16. Cardio-pulmonary resuscitation (CPR) certificate issued by a recognized CPR training program.
17. Mobility to traverse all areas of the work site.
18. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.]
19. SPECIAL PHYSICAL REQUIREMENTS: Sufficient strength to safely lift and carry objects up to twenty (20) pounds; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Assists classroom teachers by performing a physical education and physical fitness activities all under the supervision of the classroom teacher or other certificated employee.

**Responsible to**

Classroom Teacher and Director of the Charter School

### **Major Job Responsibilities**

1. Organizes games and skill activities related to state physical education standards and physical fitness standards for each grade level.
2. Monitors student progress related to specific standards and the collection and posting of data to report student progress.
3. Ensures a positive environment for all students by modeling appropriate interactions during outdoor activities and physical skill development to develop “good sportsmanship.”

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **EDUCATION SPECIALIST – *FORMERLY RESOURCE SPECIALIST TEACHER* (CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. Bachelor’s degree and preliminary or clear multiple subject teaching credential
2. EL authorization
3. Demonstrated subject matter competence (CBEST, CSET or equivalent as approved by the California Commission on Teacher Credentialing)
4. Mild to Moderate Education Specialist Credential
5. Autism Certification

#### ***Experience:***

Job related experience is preferred, but not required.

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Professional growth appropriate for implementation of special education program model appropriate to the school site of assignment.
2. Capacity to lead, direct, and train staff in the area of special education.
3. Knowledge of applicable state and federal laws.
4. Understanding of and sensitivity to diversity in the school community.
5. Ability to make formal, public presentations.
6. Ability to assist quickly and appropriately in an emergency situation.
7. Ability to cope appropriately with crisis situations.
8. Ability to complete all responsibilities independently and in a timely manner.
9. Ability to collaborate with general education staff members in order to effectively meet the needs of special education students.

10. Passionate about teaching, instruction and excited about change.
11. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
12. Mobility to traverse all areas of the work site.
13. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
14. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Implements the school site's special education program model as students with special needs are instructed within the special education program in accordance with individual IEP and individual abilities. Provides push-in and pull-out services and other supports as necessary to meet individual students' needs while using teaching materials and research-based practices that are in alignment with California Common Core State Standards, and supporting students to develop and achieve maximum self-reliance and functional independence.

### **Responsible to**

Director of the Charter School

### **Major Job Responsibilities**

1. Supports teachers through consultation and provision materials for implementation of strategies and instructional practices to meet the needs of students with special needs.
2. Completes academic assessments for initial and triennial assessments using most current assessment tools and considering a variety of data (work samples, observations, progress monitoring data, benchmark assessments, other data)
3. Utilizes assessment results in developing IEP goals and objectives to address the individual needs of each student.
4. Develops IEPs and goals in alignment with student need and adopted curriculum and California Common Core State Standards with appropriate accommodations/modifications.
5. Maintains progress-monitoring data aligned to IEP goals and use data collection to support appropriate research-based instruction, inform instructional decisions, demonstrate student progress toward goal achievement, and modify goals as necessary.
6. Periodically updates academic assessments and review progress with students, parents, and teachers as needed.
7. Participates in parent teacher conferences to discuss student progress as needed.
8. Observes student behavior in the general education classroom and consults with teachers regarding these behaviors.
9. Collaborates in the development and implementation of behavior intervention strategies and techniques as appropriate.
10. Develops and assists in implementing Behavior Support Plans.

11. Assists general education teachers, staff, and instructional aides by leading or supporting team in the de-escalation process of a student exhibiting challenging behaviors or loss of control.
12. Assists in conducting Functional Behavior Assessments when appropriate.
13. Serves as case manager for students with special needs, providing input and guidance when necessary.
14. Coordinates scheduling of IEPs for students with special needs with general education teachers, specialists, administration, and translators as needed.
15. Coordinates with parents to ensure active participation at IEP meetings.
16. Collaborates and communicates with outside service providers when necessary regarding all aspects of the IEP process.
17. Maintains and completes records, individual reports, etc. that may be required by the District, state, and/or federal policies or regulations in a timely manner.
18. Provides consultation and/or in-service to staff members and parents which relate to student assessment and specialized instruction.
19. Trains and supervises special education support staff/instructional aides in best practices for implementing services and supports to students with special needs.
20. Participates in SST meetings and serves in a collaborative/consultative role in the SST process.
21. Facilitates workshops and meetings to provide teachers/staff with the resources to share, collaborate and explore effective strategies to implement the site's special education program model.
22. Continues professional development to update knowledge and expertise by attending meetings, in-service programs, and conferences in the area of special education.
23. Performs other related duties as assigned.

## **SPECIAL EDUCATION ASSISTANT (NON-CERTIFICATED)**

### **JOB DESCRIPTION**

#### **Qualifications**

##### ***Education:***

1. High school graduate or evidence of equivalent educational proficiency
2. In compliance with ESSA, the following qualifications must be met:
  - Passing score on Charter School Paraprofessional Examination
  - OR**
  - Completion of 60 semester units or 90 quarter units from a recognized college or university;
  - OR**
  - Associate degree or higher from a recognized college or university

##### ***Experience:***

Job related experience is preferred, but not required.

## **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of physical and emotional needs of children at various age levels.
2. Knowledge of general nature and causes of physical, mental and emotional disabilities.
3. Knowledge of first aid techniques.
4. Knowledge of functioning of special equipment, such as wheel chairs and braces.
5. Ability to speak English using good vocabulary.
6. Ability to gain students' confidence.
7. Ability to communicate and related effectively with students.
8. Ability to act calmly and appropriately in emergencies.
9. Ability to take orders and follow instructions accurately.
10. Ability to assist in feeding and toileting of student with special needs.
11. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups and to work effectively with other personnel, parents and students.
12. Mobility to traverse all areas of the work site.
13. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
14. SPECIAL PHYSICAL REQUIREMENTS: Sufficient strength to safely lift and carry objects weighing up to twenty (20) pounds or assist in lifting students of varying weights; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

## **Job Purpose**

Assists teachers by caring for the physical needs of students with disabilities and helping in their training and education through the presentation of educational materials or exercises.

1. Performs a variety of activities pertinent to training, physical care, disciplining, and tutoring in order to inculcate habits, knowledge, and skills in students with disabilities.
2. Assists teachers in implementing lessons or portions of lessons to a student or a group of students, checks accuracy of work, and presents additional assignments as directed by a teacher.
3. Helps students to use books, classroom materials, and equipment.
4. Adjusts or rephrases portions of text and classroom instructions.
5. Keeps routine records related to recording attendance, grades, test scores, and lunch money.
6. Assists teachers with use of electronic equipment and presentation of materials and methods to reinforce lessons to students.
7. Assists teachers in directing activities for assigned groups of students.
8. Assists students with all aspects of toileting, which may include diapering and lifting on and off the toilet, changing tables, and mats as trained by appropriate staff.
9. Assists teachers in working with students who may be demonstrating such behaviors as hitting, biting, scratching, and running, and works as a member of a team to implement the behavior support plan and/or crisis plan as trained by appropriate staff.
10. Under the teacher's direction, participates in data collection on behaviors as part of behavior support plan development and implementation.
11. Assists teachers in maintaining an environment conducive for learning and encouraging appropriate behavior by the students using a consistent team approach.

12. Assists teachers in carrying out positive reinforcement procedures and reactive strategies identified in a behavior support plan, such as prompting student to switch to functionally equivalent replacement behavior and debriefing during the school day.
13. Assists teachers on field trips by helping students with physical needs, maintaining discipline, and reinforcing learning situations.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **SUPERVISION AIDE (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

High school graduate or evidence of equivalent educational proficiency

#### ***Experience:***

Job related experience is preferred, but not required.

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of safety rules and conditions to be maintained by students.
2. Knowledge of standards of courtesy and behavior expected of students.
3. Knowledge of games and sport in which students participate.
4. Ability to maintain acceptable standards of behavior among students.
5. Ability to maintain poise, exercise tact and good judgment.
6. Ability to encourage students in games and activities.
7. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic group, and to work effectively with other personnel, parents and students.
8. First Aid Certificate issued by a recognized first aid training program
9. Cardio-pulmonary resuscitation (CPR) certificate issued by a recognized CPR training program.
10. Mobility to traverse all areas of the work site.
11. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
12. SPECIAL PHYSICAL REQUIREMENTS: Sufficient strength to safely lift and carry objects up to twenty (20) pounds; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Assists in maintaining proper environment and student control.

**Responsible to**

Director of the Charter School

**Major Job Responsibilities**

1. Performs regularly scheduled non-classroom supervision duties, supervising students in the cafeteria, indoor assembly areas, outdoor eating areas, halls and restrooms, on the playground and in other areas to which assigned.
2. Enforces activity and safety rules in school buildings and on school property.
3. Reports problems of a serious nature, including recurring behavioral problems and safety hazard to the Director or other designated administrator.
4. Works with the Charter School staff in alleviating behavioral problems occurring during supervision periods.

**Additional Job Responsibilities**

Performs other related duties as assigned.

**SCHOOL CAFETERIA CLERK (NON-CERTIFICATED/PART-TIME)  
JOB DESCRIPTION**

**Qualifications:*****Education:***

High school graduate or evidence of equivalent educational proficiency

***Experience:***

Job related experience *preferred*

***Other:***

Valid California Driver's License and the use of an insured automobile

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of English composition and basic arithmetic.
2. Ability to establish and maintain effective working relationships with all levels of staff, managers, administrators, students and parents.
3. Ability to exercise independent judgment and initiative in completion of work assignment.
4. Well organized with an attention to detail and appreciation of importance of timeliness.



5. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
6. Mobility to traverse all areas of the work site.
7. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
8. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Assists school administrator(s) with identifying and counting reimbursable student breakfasts and lunches.

### **Responsible to**

Director of the Charter School

### **Major Job Responsibilities**

1. Understands “option” versus “serve” system used in Fenton food service programs.
2. Identifies reimbursable breakfast meals and counts only reimbursable breakfasts in daily count of breakfasts received by students.
3. Identifies reimbursable lunch meals and counts only reimbursable lunches served in daily count of lunches received by students.
4. Tabulates count of breakfasts at end of breakfast service.
5. Tabulates count of lunches at end of lunch service.
6. Documents “Second Chance” breakfasts served by student to ensure only one breakfast serving is counted per student daily.
7. Handles various clerical tasks as needed.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **SCHOOL PSYCHOLOGIST (CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. An earned master’s degree or advanced degree of at least equivalent standard from an accredited college or university;
2. Pupil Services Credential or License authorizing service as a school psychologist

***Experience:***

Successful experience as a school psychologist in an elementary school setting *preferred*.

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of the growth and development of children and adolescents, learning theory, and mental health concepts.
2. Sensitivity to, and understanding of, the unique difference and needs of disabled students and their parents.
3. Knowledge of uses and limitations of standardized individual and group tests, and semi-projective devices.
4. Ability to assume leadership in teacher/staff development activities.
5. Understanding of the relationship between the total education program as well as counseling and psychological services.
6. Facility in oral and written communication.
7. Appropriate appearance and cleanliness.
8. Appropriate manner including poise, tact, good judgment, and ability to work effectively with Charter School personnel, community representatives, and students.
9. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
10. Understanding of and sensitivity to diversity in the school community.
11. Mobility to traverse all areas of the work site.
12. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
13. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Provides psychological services to general education students and students with disabilities; conducts psycho-educational assessments to assist in determining eligibility for special education services and the development of educational programs; consults with school personnel, parents and others concerned with the progress of students; and provides individual and group counseling services as needed.

**Responsible to**

Director of the Charter School

**Major Job Responsibilities**

1. Conducts psychological assessments and develops case studies of individual students to determine educational needs, learning characteristics, and social behavior relevant to educational

placement and instructional planning; files such case studies in compliance with established policies and procedures.

2. Interprets the findings of individual studies to principals, teachers, parents, students, and others directly concerned with the welfare of students
3. Evaluates the results of tests in relation to the cultural, environmental and language backgrounds of students.
4. Facilitates training on interventions for use in the Response to Instruction and Intervention (RtI2) approach to education, targeted literacy, student progress monitoring, and data analysis.
5. Participates in the process required by federal, state, and local regulation for the identification, placement, and review/re-evaluation of students with special needs; participates in and may act as chairperson for such groups as the school-site Individualized Educational Program Team (Special Education) and Student Study Team (Regular Education).
6. Assists in developing a written individual educational plan for students who are eligible for special education placement and/or service; assists in developing recommendations regarding eligibility, program placement, and affective or cognitive experiences for the Gifted/Talented Program.
7. Assists in developing behavioral objectives for individual students and special class groups; suggests implementation strategies as appropriate; confers with teachers and parents regarding strategies for the solution or amelioration of individual learning or adjustment problems of students.
8. Counsels students individually and in groups to assist them in educational achievement and personal or social adjustment.\
9. Assists with the organization of, and serves as a leader in, staff development activities in the field of psychological services.
10. Serves as a resource person to school personnel in the effective use of Charter School educational support services.
11. Serves as liaison to other organizational units of the District, community agencies, and private professional persons on matters related to student placement and adjustment.
12. Provides psychological counseling to students, staff, and parents in crisis situations and serves as a member of the school crisis team.
13. Participates in research to evaluate procedures and tests used in assessments; makes systematic reviews and prepares reports as directed.
14. Performs other related duties as assigned.

## **ELEMENTARY SCHOOL COUNSELOR (CERTIFICATED)**

### **JOB DESCRIPTION**

#### **Qualifications**

##### ***Education:***

1. An earned master's degree or advanced degree of at least equivalent standard from an accredited college or university;
2. Pupil Services Credential or License authorizing service as a school counselor

***Experience:***

Successful experience as a school psychologist in an elementary school setting *preferred*.

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of the growth and development of children and adolescents, learning theory, and mental health concepts.
2. Sensitivity to, and understanding of, the unique difference and needs of disabled students and their parents.
3. Understanding of and sensitivity to diversity in the school community.
4. Knowledge of uses and limitations of standardized individual and group tests, and semi-projective devices.
5. Ability to assume leadership in teacher/staff development activities.
6. Understanding of the relationship between the total education program as well as counseling and psychological services.
7. Facility in oral and written communication.
8. Appropriate appearance and cleanliness.
9. Appropriate manner including poise, tact, good judgment, and ability to work effectively with Charter School personnel, community representatives, and students.
10. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students
11. Mobility to traverse all areas of the work site.
12. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
13. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Provides psychological services to general education students and students with disabilities; conducts psycho-educational assessments to assist in determining eligibility for special education services and the development of educational programs; consults with school personnel, parents and others concerned with the progress of students; and provides individual and group counseling services as needed.

**Responsible to**

Director of the Charter School

**Major Job Responsibilities**

1. Conducts psychological assessments and develops case studies of individual students to determine educational needs, learning characteristics, and social behavior relevant to educational placement and instructional planning; files such case studies in compliance with established policies and procedures.

2. Interprets the findings of individual studies to principals, teachers, parents, students, and others directly concerned with the welfare of students
3. Evaluates the results of tests in relation to the cultural, environmental and language backgrounds of students.
4. Facilitates training on interventions for use in the Response to Instruction and Intervention (RtI2) approach to education, targeted literacy, student progress monitoring, and data analysis.
5. Participates in the process required by federal, state, and local regulation for the identification, placement, and review/re-evaluation of students with special needs; participates in and may act as chairperson for such groups as the school-site Individualized Educational Program Team (Special Education) and Student Study Team (Regular Education).
6. Assists in developing a written individual educational plan for students who are eligible for special education placement and/or service; assists in developing recommendations regarding eligibility, program placement, and affective or cognitive experiences for the Gifted/Talented Program.
7. Assists in developing behavioral objectives for individual students and special class groups; suggests implementation strategies as appropriate; confers with teachers and parents regarding strategies for the solution or amelioration of individual learning or adjustment problems of students.
8. Counsels students individually and in groups to assist them in educational achievement and personal or social adjustment.\
9. Assists with the organization of, and serves as a leader in, staff development activities in the field of psychological services.
10. Serves as a resource person to school personnel in the effective use of Charter School educational support services.
11. Serves as liaison to other organizational units of the District, community agencies, and private professional persons on matters related to student placement and adjustment.
12. Provides psychological counseling to students, staff, and parents in crisis situations and serves as a member of the school crisis team.
13. Participates in research to evaluate procedures and tests used in assessments; makes systematic reviews and prepares reports as directed.
14. Performs other related duties as assigned.

## **SPEECH PATHOLOGIST (CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. An earned master's degree or advanced degree of at least equivalent standard from an accredited college or university;
2. A valid license issued by the California Speech-Language Pathology and Audiology Board or a candidate for the license who has completed the Required Professional Experience (RPE) during the first year of employment.

***Experience:***

Job related experience is preferred, but not required.

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of the fundamental principles and accepted practices, current trends, literature and research in the field of speech and language pathology.
2. Knowledge of federal, state and local policies, rules, laws, regulations and legislation pertaining to speech and language pathology.
3. Knowledge and understanding of the Individuals with Disabilities Education Act (IDEA) and special education programs.
4. Knowledge and skill in the use of a variety of service delivery models including direct pull-out and the collaborative practices of consultation and co-teaching.
5. Ability to use a variety of evidence-based methods, techniques, and practices in speech and language therapy.
6. Ability to compose and comprehend written communication and to communicate effectively with students, parents, and Fenton personnel, both individually and as a group.
7. Ability to conduct oneself in a professional manner that effectively represents the organization and the field of speech and language pathology.
8. Knowledge of staff development and professional development resources and the ability to implement them.
9. Ability to cope with high volume work and multiple tasks.
10. Ability to effectively utilize computer technologies.
11. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
12. Mobility to traverse all areas of the work site.
13. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
14. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Conducts speech and language assessments, diagnoses, and treatment for students with communication disabilities; serves as a resource to special education teachers, general education teachers, and administrators.

**Responsible to**

Director of the Charter School

## **Major Job Responsibilities**

1. Prescribes and implements treatment plans designed to meet the individual communication needs of each student.
2. Conducts speech and language assessments in compliance with the policies, mandates and regulations from the California Education Code and the Individuals with Disabilities Education Act (IDEA0>
3. Identifies students with speech and language impairment(s) through comprehensive and concise written assessment reports and organization-approved assessment instruments.
4. Participates in Individualized Education Program (IEP) meetings to present assessment results and progress reports; provides for continuous evaluation of students' progress toward IEP goals; identifies students eligible for service completion and adequately prepares students, school staff, and parents for a transition phase of therapy prior to the recommendation for dismissal.
5. Consults with administrators, general education teachers, special education teachers, and parents to identify the speech and language needs of students; participates in Student Success Team meetings.
6. Provides support for Due Process activities related to speech and language assessments and short-term interventions.
7. Conducts professional development training for school staff and parents on speech and language pathology issues, including normal communicative development, strategies and accommodations for assisting students to communicate more effectively.
8. Performs other duties in accordance with the Charter School's approved charter.

## **TECHNOLOGY ASSISTANT (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. High school graduate or evidence of equivalent educational proficiency, preferably supplemented by courses involving the installation and maintenance of computer systems and related equipment
2. Basic academic proficiency (must pass basic academic proficiency assessment with a minimum score of 70%)
3. A+ certification *preferred*

#### ***Experience:***

Job related experience *preferred*

#### ***Other:***

Valid California Driver's License and use of an insured automobile

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of English composition and basic arithmetic.
2. Knowledge of basic computer skills (word processing, spreadsheet, database, Internet, email).
3. Knowledge of software and hardware installation.
4. Knowledge of hardware mechanical functioning, basic electronics, and tools used in the maintenance and simple repair of computer equipment.
5. Knowledge of Internet, software and security applications.
6. Ability to analyze and diagnose simple malfunctions of hardware and software, and perform required repairs.
7. Ability to work independently, multi-task and function in a fast-paced environment with frequent changes and multiple deadlines.
8. Ability to understand, interpret, and apply pertinent laws, rules, regulations, and procedures related to state and federal compliance.
9. Ability to write legibly, organize files and keep accurate records.
10. Ability to communicate effectively orally and in writing.
11. Ability to produce, retrieve, and store word processing and email documents.
12. Ability to use appropriate techniques in interactions in person and on the phone.
13. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
14. Mobility to traverse all areas of the work site.
15. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
16. SPECIAL PHYSICAL REQUIREMENTS: Physical agility sufficient to push/pull, squat, twist, turn, bend, stoop, and to reach overhead; ability to lift up to thirty-five (35) pounds; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Installs computing systems, diagnoses basic technology-related problems, and troubleshoots software and hardware malfunctions at the school site.

### **Responsible to**

Information Technology Manager and Director of the Charter School

### **Major Job Responsibilities**

1. Installs and tests computer-related devices.
2. Installs commercial off-the-shelf software.
3. Inspects and diagnoses hardware malfunctions.
4. Troubleshoots hardware and commercial off-the-shelf software problems, mobile computing device hardware, software applications and peripheral devices.



5. Diagnoses and repairs basic technology related problems throughout the campus, contacting the IT and Facilities Manager as needed to problems related to issues such as mobile computing, SIS systems and telephone systems.
6. Refers complex mobile device issues to IT Manager.
7. Sets up technology/computer labs, mobile computing carts, and mobile devices.
8. Assists with set up and activation of student and staff single sign on accounts and creates and maintains user groups on the local network server.
9. Acts as a resource in technology-related matters.
10. Addresses connectivity problems to make sure computing devices and peripherals are properly connected to the local area network.
11. Reports repair and service needs to the IT Manager.
12. Provides first level support for operation of personal computer, mobile device, and peripheral equipment.
13. Maintains site inventory of technology hardware and software licensing, including ensuring hardware is logged, stripped and secured prior to disposal or return to vendor.
14. Assists in ordering technology related supplies.
15. Maintains a repair log to track repairs by component, serial number, and model number.
16. May support multiple sites.
17. May assist administrator(s) with maintaining an online presence, such as webpages and social networking sites as needed.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **SCHOOL NURSE (CERTIFICATED OR NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

1. Bachelor's degree from an accredited college or university
2. Possession of a valid active California Registered Nurse License
3. Valid California School Nurse Services Credential authorizing service as a School Nurse  
**OR**  
Service Credential with a specialization in health authorizing service as a nurse *preferred*

#### ***Experience:***

Job related experience in an elementary setting *preferred*

#### ***Other:***

1. Valid California Driver's License and the use of an insured automobile
2. Valid and active First Aid card issued by an approved program

3. Cardio-pulmonary resuscitation (CPR) certificate issued by a recognized CPR training program

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of the fundamental principles, accepted trends, literature, and research in the field of school nursing.
2. Knowledge and skill in computer technology.
3. Skill in detecting symptoms of communicable diseases and physical defects.
4. Ability to communicate effectively with students, parents, other school personnel, and community representatives, both individually and as a group.
5. Ability to compose and comprehend written communication.
6. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and work effectively with other personnel, parents and students.
7. Mobility to traverse all areas of the work site.
8. Mobility to respond quickly in an emergency situation.
9. Ability to properly use and to care for the materials, supplies, and equipment employed in nursing.
10. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
11. SPECIAL PHYSICAL REQUIREMENTS: Physical agility sufficient to push/pull, squat, twist, turn, bend, stoop, and to reach overhead; ability to lift up to twenty (20) pounds, assist with lifting students, and push a wheelchair; hearing sufficient to conduct in person and telephone conversations; vision sufficient to read printed materials; manual dexterity sufficient to write, use telephone and business machines, and perform limited medical treatments; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Provides nursing services at school site, identifying health problems that could impact a student's ability to learn and provides intervention by helping families find resolution to identified health barriers to learning.

### **Responsible to**

Director of the Charter School

### **Major Job Responsibilities**

1. Provides school nursing services at the school site.
2. Assesses and evaluates the health appraisals, including general and athletic health, vision, hearing, dental, orthopedic, and developmental status of students.
3. Determines, provides, and supervises the appropriate skilled care for student with special health needs, such as diabetes, severe allergies, spina bifida, asthma, cardiac conditions, respirator dependency, seizures and other.

4. Refers students and parents to appropriate community resources for necessary services related to physical or mental health.
5. Responds to emergency needs of students, accidents, emergency illnesses, and crisis situations at school.
6. Controls communicable diseases by following standing orders of a supervising physician and surgeon, through readmissions, exclusions, inspections, and determination of immunization assessment with follow-up.
7. Interprets medical and nursing findings appropriate to the student's individualized education program and makes recommendations to the professional personnel directly involved.
8. Evaluates immunizations required for school entry and follow-up for compliance.
9. Inspects the school plant to help maintain an environment for optimum health.
10. Provides in-service education of school personnel on cardiopulmonary resuscitation (CPR), Automated External Defibrillator usage, First Aid, communicable disease control, and asthma triggers.
11. Provides appropriate health education for students, individually and in groups, in a variety of health topics, relates health instruction and guidance to specific health needs of students.
12. Counsels and guides students to meet their individual needs by interpreting health appraisals and stands of normal growth and development and promoting emotional health.
13. Coordinates and implements services with school personnel in developing Individualized Education Plans (IEP) for student with special needs and 504 Plans.
14. Notifies, counsels, and assists parents in remediating student health defects.
15. Assists in developing a school nursing program in collaboration with school administrator(s) and other school personnel in accordance with established school policy.
16. Promotes health and safety of school students and integrates health solution into the education setting.
17. Supervises, evaluate and trains subordinate licensed and unlicensed school personnel.
18. Maintains necessary health records.
19. May provide nursing assistance if school is designated as shelter during major disasters.
20. Performs other related duties as assigned.

### **NURSE'S AIDE (NON-CERTIFICATED) JOB DESCRIPTION**

#### **Qualifications**

##### ***Education:***

High school graduate or evidence of equivalent educational proficiency, preferably supplemented by additional courses in nursing related areas  
Bilingual: English/Spanish *preferred*

##### ***Experience:***

Job related experience is preferred, but not required.

***Other:***

1. Valid California Driver's License and the use of an insured automobile
2. Valid and active First Aid card issued by an approved program
3. Cardio-pulmonary resuscitation (CPR) certificate issued by a recognized CPR training program

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of office practice and procedures, especially those involved in a health office.
2. Knowledge of correct spelling, punctuation and grammar.
3. Knowledge of first aid principles and techniques.
4. Knowledge of cardio-pulmonary resuscitation procedures.
5. Knowledge of suspected child abuse reporting procedures.
6. Knowledge of basic computer skills (word processing, spreadsheet, database, Internet).
7. Ability to maintain confidential information.
8. Ability to read, write, and orally communicate in English, follow oral and written instructions, and compose and comprehend written communication.
9. Ability to establish effective rapport with students, teachers, staff and parents.
10. Ability to alphabetize and maintain files.
11. Ability to accurately type and perform data entry.
12. Ability to perform first aid and cardio-pulmonary resuscitation.
13. Ability to plan, organize, prioritize, and perform a variety of concurrent duties.
14. Appropriate manner, including poise, tact, and use of good humor.
15. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
16. Mobility to traverse all areas of the work site.
17. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
18. SPECIAL PHYSICAL REQUIREMENTS: Physical agility sufficient to push/pull, squat, twist, turn, bend, stoop, and to reach overhead; ability to lift up to twenty (20) pounds, assist with lifting students, and push a wheelchair; hearing sufficient to conduct in person and telephone conversations; vision sufficient to read printed materials; manual dexterity sufficient to write, use telephone and business machines, and perform limited medical treatments; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Assists in the daily operation of the school health office, administers minor first aid, assists students taking prescribed medications and performs a variety of clerical duties related to the Charter School's health programs.

**Responsible to**

School Nurse and Director of the Charter School

### **Major Job Responsibilities**

1. Assists students in taking prescribed medications.
2. Assists the School Nurse in maintaining health records and preparing reports.
3. Files student health records.
4. Communicates orally in in writing with parents and school personnel
5. Prepares documents and reports for the School Nurse related to the health program.
6. Reviews student immunization records and alerts the School Nurse or the school administrator when immunizations are not in compliance with currents state law.
7. Assists students with toileting and activities of daily living.
8. Maintains supplies in the health office and prepares orders for needed replacements.
9. Provides minor first aid for ill or injured students.
10. Maintains efficiency in the flow of student office visits.
11. Records temperature readings.
12. Contacts parents if a student must be released from school for health reasons.
13. Performs limited specialized physical healthcare procedures (treatments) such as glucose monitoring, mechanical nebulizer treatment or emergency injections of medication with appropriate training.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **OFFICE MANAGER (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

High school graduate or evidence of equivalent educational proficiency  
Bilingual: English/Spanish *preferred*

#### ***Experience:***

Knowledge of Fenton office procedures and experience working in a Fenton school office  
*preferred*  
Meets all requirements for Office Assistant position

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of the general administrative organization of Fenton Charter Public Schools.
2. Knowledge of the principles of organization, personnel management and progressive discipline.
3. Knowledge of school office procedures, practices and equipment.
4. Knowledge of Microsoft Word and Excel.

5. Knowledge of correct spelling, punctuation, and grammatical usage.
6. Knowledge of principles and techniques of school safety and first aid.
7. Knowledge of the Charter School's records, reports, and procedures related to student attendance, employee time reporting, operation of foundation accounts, and other school office functions.
8. Knowledge of pertinent state laws and District rules and regulations pertaining to school operations.
9. Knowledge of bookkeeping methods.
10. Knowledge of basic Internet and web browsing techniques.
11. Knowledge of basic computer security and privacy issues related to computer usage.
12. Ability to plan and supervise clerical work for maximum efficiency in the utilization of staff, including scheduling, establishing priorities, and responding to problems.
13. Ability to type rapidly and accurately using a computer keyboard.
14. Ability to make arithmetic computations.
15. Ability to operate a variety of office machines, including computers.
16. Ability to compile and check data for reports.
17. Ability to compose written communications.
18. Ability to work well and deal tactfully with administrators, employees, parents, students and the public.
19. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and to work effectively with other personnel, parents and students.
20. Understanding of and sensitivity to diversity in the school community.
21. Ability to demonstrate initiative and good judgment while working under pressure and frequent interruptions.
22. Ability to train clerical employees and evaluate performance.
23. Ability to interpret regulations and policies.
24. Ability to obtain and impart information tactfully and accurately.
25. Ability to keep confidential information.
26. Mobility to traverse all areas of the work site.
27. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
28. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Manages the school office, performs administrative assistance for the school administrator(s), and is responsible for the supervision of the clerical activities of the Charter School.

## **Responsible to**

Director of the Charter School

## **Major Job Responsibilities**

1. Plans, establishes, and supervises the implementation of clerical procedures in the school office to insure timely preparation and submission of reports, records, studies, letters, and other materials.
2. Supervises clerical work related to such matters as enrollment, personnel, accidents, special programs, time reporting and purchases of supplies and materials.
3. Performs secretarial duties for the administrator(s) by arranging appointments, receiving visitors, screening calls and mail, and composing communications as needed.
4. Utilizes and supervises the use of software applications to conduct school business including payroll and secretarial duties.
5. Reviews communications, bulletins, reports and other items and obtains information from a variety of sources as requested by the administrator(s) in order to advise on necessary actions and to provide information to school personnel, parents, students and others.
6. Answers or refers inquiries, contacts public service agencies, interprets school policies, and coordinates and provides approved information to parents, students, school personnel, and the public over the telephone or in person.
7. Orients new and substitute teachers, parent groups, volunteers, and aides in school and office administrative policies and procedures and issues materials, such as daily bulletins, programs, and keys.
8. Organizes and maintains files, records and guides.
9. Performs miscellaneous clerical work, such as filing, typing, relaying messages, operating office machines, and opening and routing mail.
10. Assists in securing substitute teachers as needed.
11. Maintains a bookkeeping system for documenting student body fundraising activities.
12. Oversee student waiting in the main office of the Charter School when needed.
13. Proofreads materials and supervise their mailing and distribution.
14. Provides minor first aid, arrange for care of ill or injured students, and, if authorized, dispenses prescribed oral medication in the absence of a School Nurse.
15. Attends workshops, professional development and other ongoing training opportunities to ensure understanding of state and federal laws, regulations and polices is current and accurate.

## **Additional Job Responsibilities**

Performs other related duties as assigned.

## **OFFICE ASSISTANT (NON-CERTIFICATED)**

### **JOB DESCRIPTION**

#### **Qualifications**

##### ***Education:***

High school graduate or evidence of equivalent educational proficiency  
Bilingual: English/Spanish *preferred*

##### ***Experience:***

One year of experience working in an office setting *preferred*

#### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of English composition and basic arithmetic.
2. Knowledge of office practices and procedures.
3. Knowledge of basic computer skills and office machines (word processing, spreadsheet, database, Internet, fax, copier, intercom, phones, and label makers).
4. Knowledge of appropriate techniques used in providing information in person and on the telephone.
5. Ability to understand, interpret, and apply pertinent laws, rules, regulations, and procedures.
6. Ability to write legibly, organize files and keep accurate records.
7. Ability to use a personal computer to input, edit, extract, and format data and information.
8. Ability to produce, retrieve, and store word processing and email documents.
9. Ability to communicate effectively orally and in writing.
10. Ability to type rapidly and accurately using a computer keyboard.
11. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups, and with other personnel, parents and students.
12. Mobility to traverse all areas of the work site.
13. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
14. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

#### **Job Purpose**

Performs a variety of clerical duties of a routine and recurring nature, and supports and assists the Office Manager of the Charter School.



### **Responsible to**

Office Manager and Director of the Charter School

### **Major Job Responsibilities**

1. Prepares and translate a variety of letters, memos, forms, reports, arithmetical summaries, and other materials, typically using computer software.
2. Compiles, interprets, and codes data from various sources, entering data utilizing computer systems and programs.
3. Checks forms and records for completeness and accuracy.
4. Maintains files, records, and other information including sending and receiving records of individual students.
5. Input student data in Illuminate (student database), including enrollment/demographic data, student test scores and any other data necessary to maintain compliance.
6. Responds to employee and public inquiries by telephone and in person to provide or request information.
7. Orders, receives, and distributes office supplies.
8. Receives, sorts, and distributes incoming and outgoing correspondence.
9. Operates a variety of office equipment (e.g., computers, printers, copies, calculators, typewriters, facsimile machines, etc.).
10. Assists in preparing employee time reports and maintaining routine bookkeeping and payroll records or other tasks needed by administrator(s).
11. Monitors illness and vacation time for all employees, inputting information and generating reports on a semi-annual basis or as needed.
12. Oversees students waiting in the main office of the Charter School when needed.
13. Provides minor first aid, arrange for care of ill or injured students, and, if authorized, dispenses prescribed oral medication in the absence of a School Nurse.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **PLANT MANAGER (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

High school graduate or evidence of equivalent educational proficiency, preferably supplemented by additional courses in personnel management, supervision and related subjects

***Experience:***

Prior successful experience as Fenton custodian *preferred*  
Experience in janitorial, custodial or building maintenance work

**Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of the principles, materials and methods of custodial work.
2. Knowledge of various types of surfaces and coverings and the appropriate cleaning, polishing, and protective agents.
3. Knowledge of safe and efficient operation of low-pressure and other heating equipment, ventilating and air conditioning systems, and other building equipment.
4. Knowledge of electrical systems in building and grounds operation.
5. Knowledge of fire and safety ordinances and regulations affecting school buildings.
6. Knowledge of pollution control regulations.
7. Knowledge of methods and materials used in minor maintenance of buildings and equipment.
8. Knowledge of principles of supervision.
9. Knowledge of basic personnel and payroll rules and procedures.
10. Knowledge of flag courtesy and care.
11. Ability to supervise, train, and evaluate custodial personnel.
12. Ability to make and adjust schedules.
13. Ability to recognize maintenance needs and initiate appropriate action.
14. Ability to maintain records and prepare concise reports.
15. Ability to use and care for operations equipment.
16. Ability to make minor repairs to facilities and equipment.
17. Ability to work harmoniously with school personnel and the public.
18. Ability to operate a computer and peripheral equipment.
19. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups.
20. Ability to work effectively with other personnel, parents and students.
21. Mobility to traverse all areas of the work site.
22. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
23. SPECIAL PHYSICAL REQUIREMENTS: Physical agility sufficient to push/pull, squat, twist, turn, bend, stoop, and to reach overhead; ability to lift and carry items weighing up to fifty (50) pounds; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

**Job Purpose**

Supervises, plans, coordinates, and participates in the cleaning, gardening and operation of the Charter School; responsible to the Charter School Director or other site administrator for the cleanliness and operation of the facility and to the Facilities Manager of the organization.

## **Responsible to**

Facilities Manager and Director of the Charter School

## **Major Job Responsibilities**

1. Supervises and participates in custodial work in cleaning rooms, toilets, halls, walks, stairways, auditorium/multi-purpose room, libraries, walls, fixtures, and equipment, including sweeping, polishing, mopping, dusting, dressing floors, vacuuming, and disinfecting.
2. Selects materials and equipment for cleaning a wide variety of floors, walls, and other surfaces.
3. Analyzes custodial needs and recommends priorities for the custodial program/
4. Prepares, adjusts, and assigns work schedules for regular and special cleaning, and the recycling program including school-vacation cleanups, and assures that facilities are unlocked and secured as necessary.
5. Assigns special custodial duties for various educational, social, and civic activities, and to meet emergencies, and arranges for proper equipment, heating, ventilating, and lighting.
6. Operates and supervises the operation of low-pressure heating, ventilating, and air conditioning systems and related equipment.
7. Inspects the plant and equipment in order to maintain custodial standards and nonhazardous conditions, evaluates employee performance and initiates corrective action, assures safe and efficient operation of equipment, determines the need for maintenance work, and coordinates maintenance services with custodial and school schedules.
8. Maintains inspection records, reports needs for repairs to the site administrator and to the Facilities Manager, and may make minor repairs.
9. Maintains records and submits reports on plant security, vandalism, thefts, emergencies, supplies, operation costs, use of facilities, and related matters.
10. Trains and instructs assigned custodial personnel in cleaning methods, use of materials, operation of custodial and gardening recycling procedures, equipment, and related tasks, and my assist in training new custodians.
11. Confers with school personnel, administrator(s), the public, and students in regard to the utilization of facilities and equipment, site security, special programs and activities, and regulation.
12. Orders, receives, checks and disburses custodial and school supplies and equipment; stores and distributes school supplies and equipment; maintains an inventory and maintains related records as required.
13. Supervises and participates in watering lawns, scrubs, and trees, involving the operation of manual or automatic irrigation systems in accordance with instructions of the Facilities Manager.
14. Supervises the removal of weeds and debris from paved and unplanted areas.
15. Maintains records of shutoff valves and utility cutoffs, including fire sprinkler systems; checks and operates fire extinguishers.
16. Reviews and submits custodial time reports to the Charter School administrator and Facilities Manager as requested.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **CUSTODIAN (NON-CERTIFICATED) JOB DESCRIPTION**

### **Qualifications**

#### ***Education:***

High school graduate or evidence of equivalent educational proficiency  
Successful completion of a custodial training course approved by the Charter School (*may be in progress*)

#### ***Experience:***

One year of documented paid experience in providing cleaning services in commercial and/or public facilities *preferred*

#### ***Other:***

Valid California Driver's License and the use of an insured automobile

### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of cleaning materials, such as soap, detergents, and solvents.
2. Knowledge of methods of cleaning floors, lavatories, and other areas of school buildings.
3. Knowledge of sterilization and sanitation methods used in custodial work.
4. Knowledge of general grounds maintenance practices, machinery and equipment.
5. Ability to understand and follow written and oral instructions.
6. Ability to recognize maintenance needs and make minor repairs to materials, fixtures, and equipment.
7. Ability to read water, gas and electric meters.
8. Ability to safely operate floor polishing and scrubbing machines, wall washing machines, steam shampooers, vacuum cleaners, lawn mowers, and other types of power machines.
9. Ability to work harmoniously with students, administrator(s), parent groups, teachers and others.
10. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups.
11. Ability to work effectively with other personnel, parents and students.
12. Mobility to traverse all areas of the work site.
13. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.

14. **SPECIAL PHYSICAL REQUIREMENTS:** Physical agility sufficient to push/pull, squat, twist, turn, bend, stoop, and to reach overhead; ability to safely lift and carry items weighing up to fifty (50) pounds; physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Maintains building and grounds in a clean, sanitary, and safe condition; responsible for cleaning and securing assigned areas.

### **Responsible to**

Plant Manager, Facilities Manager and Director of the Charter School

### **Major Job Responsibilities**

1. Sweeps, dusts, cleans, scrubs, seals, waxes, polishes, and mops floors in classrooms, kitchens, dining areas, bathrooms, offices and similar facilities.
2. Removes spots from floors, walls, woodwork, furniture, and fixtures.
3. Cleans, dusts and polishes woodwork, glass, furniture, air intake screens, and louvers, fixtures, and other installations.
4. Washes and scrubs lavatory fixtures, inside glass, windows, painted surfaces, and drinking fountains.
5. Operates equipment such as floor polishing and scrubbing machines, wall washing machines, steam shampooer, vacuums and power sweepers.
6. Services soap dispensers, towel boxes, and similar facilities.
7. Sweeps and hoses blacktops, sidewalks, and parkways.
8. Replaces or moves electrical plug fuses, light bulbs, chairs, desks, tables and classroom equipment.
9. Locks and unlocks doors, gates, windows, transoms, and storerooms.
10. Cleans, maintains, services, and makes minor adjustments to heaters.
11. Gathers and disposes of rubbish, paper, leaves and debris, and empties and washes refuse containers.
12. Identifies and reports information regarding vandalism, theft, fire damage, and floods, and identifies, records, and reports maintenance needs to the Plant Manager.
13. Performs a variety of unscheduled custodial duties as requested by the Charter School office, teachers and administrator(s).
14. Attends in-service training as directed.
15. Makes minor repairs to building hardware, plumbing, woodwork, building equipment and furniture.
16. May perform a variety of cleaning and other manual tasks in the cafeteria.
17. May raise, lower and store flags.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **FAMILY CENTER DIRECTOR (NON-CERTIFICATED)**

### **JOB DESCRIPTION**

#### **Qualifications**

##### ***Education:***

High school graduate or equivalent

Associate Degree or completion of equivalent college semester or quarter units is *preferred*

Bilingual: English/Spanish skills: speaking, reading, writing, translating (must pass the basic translation proficiency assessment with a minimum score of 70% to demonstrate bilingual skills)

##### ***Experience:***

Experience with the Charter School's local community *preferred*

##### ***Other:***

Valid California Driver's License and the use of an insured automobile

One year of experience in a parent/community involvement program

Willingness to work evening and irregular hours if needed

#### **Knowledge, Skills, Abilities and Personal Characteristics**

1. Knowledge of issues related to families from diverse socioeconomic, linguistic, and cultural backgrounds.
2. Knowledge of correct spelling, punctuation and grammar in English and Spanish.
3. Knowledge of applications of a variety of office machines such as computers, copier, scanner, facsimile machine, and multi-line telephone system.
4. Knowledge of pertinent school policies, procedures and instructional programs.
5. Knowledge of pertinent federal, state and local policies, rules and regulations and how they apply to the Family Center/Parent Center.
6. Knowledge of the Charter School's organizational structure.
7. Knowledge of appropriate techniques and practices for communicating information in person and by telephone.
8. Knowledge of training methods and techniques.
9. Understanding of and sensitivity to diversity in the school community.
10. Ability to understand and interpret rules, policies and procedures.
11. Ability to facilitate discussion among individuals and groups.
12. Ability to write clearly, concisely, and accurately in a manner appropriate to the purpose and audience.
13. Ability to remain calm and pleasant under stressful situations.
14. Ability to work effectively and cooperatively with a diverse cultural community.

15. Ability to make oral presentations and communicate effectively, persuasively and tactfully the goals of the Charter School.
16. Ability to exercise good judgment in communicating with parents, students, and teachers in sensitive situations.
17. Ability to accurately maintain manual and electronic files related to school activities.
18. Ability to prioritize and schedule classes, workshops and projects.
19. Ability to operate a personal computer.
20. Ability to work effectively with all racial, ethnic, language, disability and socioeconomic groups.
21. Ability to work effectively with other personnel, parents and students.
22. Mobility to traverse all areas of the work site.
23. Health: Physical and mental fitness as certified by a licensed physician and surgeon or medical officer pursuant to Education Code Section 44839 and evidence of freedom from active tuberculosis pursuant to Education Code Section 49406.
24. SPECIAL PHYSICAL REQUIREMENTS: Physical stamina sufficient to sit, stand or walk for prolonged periods of time.

### **Job Purpose**

Assists administrator(s) with various parent/community involvement and educational activities such as parent orientations, parent training sessions, fundraising, development of school newsletter, interfacing with community organizations, interpreting for public meetings, and working on public relations efforts.

### **Responsible to**

Director of the Charter School

### **Major Job Responsibilities**

1. Organizes and schedules parent classes and workshops.
2. Attends council/committee meetings.
3. Provides assistance and acts as a resource for parents.
4. Maintains logs and records of information about parent workshops and classes.
5. Assists in organizing school volunteers and maintains volunteer logs.
6. Answers and directs parent calls or questions to the appropriate school personnel or outside agency.
7. May transport parents, staff or supplies to meetings and conferences.
8. Assists with school-wide fundraising efforts.
9. Attends community meetings, often representing the Charter School(s).
10. Translates for parents, teachers and administrators.
11. Assists with the school newsletter as needed.

### **Additional Job Responsibilities**

Performs other related duties as assigned.

## **Element 6 – Health and Safety Procedures**

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

### **HEALTH, SAFETY AND EMERGENCY PREPAREDNESS PLAN**

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

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

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

Charter School shall provide all employees, and other persons working on behalf of Charter School who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person’s employment if employed after the beginning of the school year, in accordance with the requirements of AB 1432 (2014).

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

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

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



## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

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

## **CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING**

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

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

## **IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS**

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

Charter School shall comply with all federal and state legal requirements, including but not limited to the requirements of SB 277 (2015), related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain student immunization, health examination, and health screening records on file.

## **SAFE PLACE TO LEARN ACT**

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

## **SUICIDE PREVENTION POLICY**

If Charter School serves students in grades 7-12, Charter School shall comply with the requirements of AB 2246 (2016), codified in Education Code section 215, including but not limited to the requirement that the school's pupil suicide prevention policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

## **CUSTODIAN OF RECORDS**

Assistant Business Managers are the Custodian of Records, per California Department of Justice requirements, for Fenton Charter Public Schools.

## **ADDITIONAL HEALTH AND SAFETY PROCEDURES**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV").

Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

STEM Academy's facilities will comply with applicable city and/or state building codes, federal Americans with Disabilities Act ("ADA") access requirements, and other applicable fire, health, and structural safety requirements, and will maintain on file readily accessible records documenting such compliance.

In order to maintain a safe facility, FCPS will develop a school safety plan. It will be kept on file for review and school staff members will be trained on the safety procedures outlined in the plan. A copy of this plan will be available on campus. FCPS will also ensure that its auxiliary services such as transportation, food preparation and service, custodial services, and hazardous materials are safe to the extent applicable by law and in accordance with the school safety plan. Additionally, STEM Academy's will maintain campus safety of students and employees by providing families with information about the administration of medication on campus and TB test requirements in

the parent/student handbook, ensuring that all hired staff meet the TB test requirements, ensuring that earthquake and fire drills are conducted on campus, and training staff on how to handle terrorist threats.

STEM Academy's shall comply with the Child Abuse Reporting Laws set forth in the California Penal Code. In accordance with state law, all STEM Academy teachers and staff shall be mandated to report any suspected child abuse or abuse based on "reasonable suspicion." "Reasonable suspicion" means that it is objectively reasonable for a person to contemplate a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect. For example, child abuse is brought to the attention of the mandated reporter from any spoken or written source, including but not limited to: the alleged victim, a friend of the alleged victim, a colleague, or anonymous source or individual. "Reasonable suspicion" does not require proof or investigation by the reporting party. The report will be filed with either the Police Department Child Abuse Unit or the Department of Children and Family Services. The mandated individual will meet with the appropriate authorities accordingly, if applicable. Teachers and staff will receive in-service training and sign documentation verifying notification and understanding regarding this responsibility.

STEM Academy shall function as a drug, alcohol, and tobacco free workplace.

### **HEALTH AND WELLNESS**

Fenton Charter Public Schools is committed to providing a school environment that promotes and protects children's health, wellbeing, and the ability to learn by supporting healthy nutritional choices and physical activity. The FCPS Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for FCPS students.

To support this, the Fenton Charter Public Schools (FCPS) are committed to:

- Engaging students, parents, teachers, food service professionals, health professionals and other interested community members in developing, implementing, monitoring, and reviewing the charter school's nutrition and physical activity policies.
- Providing opportunities, support, and encouragement to all students in grades K-5 to be physically active on a regular basis.
- Ensuring that all foods and beverages sold or served at the charter schools during school hours meet the minimum nutritional requirements according to the USDA Smart Snacks in Schools (SSIS) guidelines.
- Ensuring that a qualified child nutrition professional supervises the cafeteria staff so that students are provided with a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students. Accommodating the religious, ethnic, and cultural diversity of the student body in meal planning.
- Insuring that current documentation of food restrictions as ordered by a physician are implemented on a daily basis.
- Providing a clean, safe, and pleasant environment and adequate time schedule for students to eat.

- Providing nutrition education and physical education programs to foster lifelong habits of healthy eating and physical activity.

To achieve these policy goals, the organization is committed to implementing the following **FCPS Wellness Plan**:

### ***I. Governing Committees***

STEM Academy's four governing committees (Finance; Parent Advocacy; Instruction; and Personnel) will develop, implement, monitor, review, and revise as necessary school nutrition and physical activity policies as pertinent to each committee's duties.

A School Wellness Team comprised of a qualified child nutrition professional, teachers, administrators, physical education staff, school nurse, cafeteria staff and school psychologist or other special education staff member will meet throughout the year to develop, revise, monitor and implement school nutrition and physical activity policies. Parents, community members, and other members of the public will be encouraged to participate in the School Wellness Team.

### ***II. Nutritional Quality of Foods and Beverages Sold and Served on Campus***

The Fenton Charter Public Schools (FCPS) are committed to providing access to nutritious and appealing school meals so that all students will be ready, both physiologically and psychologically for the academic day.

#### **School Meals**

Meals served through the National School Lunch and Breakfast Program will:

- Be appealing and attractive to children;
- Be served in clean and pleasant settings
- Meet, at a minimum, nutrition requirements of the School Breakfast Program, National School Lunch Program, After School Snack Program, and the CACFP Supper Program.
- Offer a variety of fruits and vegetables.
- Serve only low-fat (1%) and fat-free milk and nutritionally-equivalent non-dairy alternatives; and
- Ensure that all of the served grains are whole grain.

#### **Breakfast**

To ensure that all students have breakfast, either at home or at school, and in order to meet their nutritional needs and enhance their ability to learn, the Fenton Charter Public Schools will:

- Operate a School Breakfast Program every morning Mondays through Fridays
- Offer multiple meal choices for breakfast throughout the week.
- Encourage participation in the school breakfast program through incentives and parent notification

- Encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means
- Offer a “Second Chance Breakfast” at recess for those students who did not eat breakfast that morning either at home or at school.

Breakfast and lunch menus, which provide information regarding the nutritional content of meals and item selections, will be distributed to parents on a monthly basis.

### **After School Snacks**

- Snacks are served on a daily basis by after school program and Fenton Charter Public Schools afterschool programs.

### **Meal Times and Scheduling**

- Breakfast will be served daily. A “Second Chance” breakfast will be offered to those students who did not participate in the breakfast program prior to the beginning of the school day.
- Lunch will be scheduled after the recess break and will be within a 40-45 minute period.
- School bathrooms are open during the school day to provide students with ready access for hand-washing prior to eating. School bathrooms are cleaned by the custodial staff between three to five times daily.
- Additionally, all classrooms are equipped with a sink. For the primary grades, the entire class will wash their hands together, either in the classroom or in the bathrooms as a class, prior to eating.
- All classrooms and offices are equipped with hand sanitizers. Teachers dispense hand sanitizers before the students leave the classrooms for lunch.
- Hand sanitizers are also available in the cafeteria area.
- Posters depicting proper hand washing and cough covering techniques are posted in every classroom and throughout the Charter School.
- Filtered water is available at all water fountains throughout the campus, including the meal service area.

### **Qualifications of School Food Service Staff**

Qualified nutrition professionals will supervise and administer the Charter School’s meal programs. The cafeteria lead worker is Serve Safe certified. As part of the charter schools’ responsibility to operate a food service program, we will provide continuing professional development for all cafeteria staff as needed. Monthly staff trainings will include basic food handler requirements, safe food preparation and team building. The County Health Office will facilitate a health inspection of the kitchen and food storage areas twice a year.

### **Sharing of Foods and Beverages**

Fenton Charter Public Schools prohibits students from sharing their foods and/or beverages with one another during meal or snack times, given concerns about allergies and other dietary restrictions.

**Foods and Beverages Sold Individually** (*i.e. foods sold outside of reimbursable school meals such as through fundraisers, fundraisers, etc.*)

A qualified nutrition professional will oversee and provide guidelines for all food and beverages sales including fundraisers and rewards. The Fenton Charter Public Schools will insure that foods and beverages used for fundraisers and rewards meet at a minimum, nutrition requirements established by SSIS. All foods used for fundraising purposes that are sold from midnight to 30 minutes after school will be SSIS compliant. The Fenton Charter Public Schools will encourage fundraising activities that promote physical activity. All fundraising activities are approved and monitored by the School-Community Relations Council and the Parent Community Advocacy Committee.

### **Class Celebrations**

Parties involving healthy foods will be encouraged, and teachers will create a plan for classroom celebrations. Non-nutritious foods such as cupcakes and soda (soda not allowed to be served to K-12 students by anyone) will be strongly discouraged. All food brought into the Charter School for classroom activities will be store bought and in the original and unopened package. A list of appropriate healthy snacks and/or alternative party ideas will be provided to parents upon request. Parents/guardians or other volunteers shall be encouraged to support FCPS nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class celebrations. Class parties or celebrations shall be held within the last 30 minutes of school no more than once a month and non-nutritious foods will not be encouraged.

## ***III. Nutrition Education and Promotion***

Fenton Charter Public Schools is committed to teaching, encouraging, and supporting healthy eating by students. Fenton Charter Public Schools will provide nutrition education and engage in nutrition promotion that:

- Is offered at each grade level as a part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is integrated across within other content areas as appropriate
- Includes enjoyable, developmentally appropriate, culturally relevant, participatory activities.

- Promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health –enhancing nutrition practices.
- Emphasizes caloric balance between food intake and energy expenditure.
- Utilizes a multi-media approach
- Includes training for teachers and other staff.

### **Communicating with Parents**

The Fenton Charter Public Schools will support parents’ efforts to encourage healthy eating and daily physical activities. Parent workshops which focus on nutrition, physical fitness, and parenting will be offered through the Family Center. Classes will be offered specifically targeting those students with high Body Mass Indexes. These classes will involve the entire family as healthy eating choices and options are discussed and modeled. A list of healthy snack items will be provided for parents. Information regarding community resources such as children’s sports teams will be distributed to parents. Community agencies focusing on health and nutrition will be invited to participate in Saturday workshops for parents and students.

## ***IV. Physical Activity Opportunities and Physical Education***

### **Integrating Physical Activity into the Classroom Setting**

In order for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education classes. Towards this end:

- classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities, such as watching television.
- opportunities for physical activities will be incorporated into other subject lessons; and

### **Physical Education TK-5**

All students in grade TK-5, including students with disabilities will receive physical education for a minimum for 200 minutes every ten days. Psychomotor teacher assistants will be employed to implement the physical education program under the supervision of the administrator(s). Psychomotor teacher assistants will implement the SPARK PE program. Pre- and post-test data aligned to the California State mandated Physical Fitness Test (“PFT”) will be collected and analyzed for fifth grade.

### **Daily Recess**

All students will have a 20-minute morning recess period scheduled by grade level to insure a safe and supervised playground.

### **Safe Routes to School**

Fenton Charter Public Schools, in conjunction with the Los Angeles Police Department have set up supervised drop-off lanes in the morning. These procedures are provided to parents on an annual basis. Campus security is stationed around the Charter School in the morning and at dismissal to ensure students' safety.

### **Physical Activity Opportunities Before and After School**

Before school, the playground is open between 7:30 – 8:00 a.m.

After school, the playground is open from dismissal until 5:30 or 6:00 p.m., depending on the campus. Periods of physical activity with appropriate playground equipment are interspersed with quiet reading and homework time. Additionally, afterschool programs such as LA's BEST and 21<sup>st</sup> Century Kids incorporate organized team sports and clubs.

### **Physical Activity and Punishment**

Teachers and other school and community personnel will not use physical activity (e.g. running laps, pushups) or withhold opportunities for physical activity (e.g. recess, physical education) as punishment. Students shall not be denied access to school meals or adequate time to eat as a form of punishment.

### **Use of School Facilities Outside of School Hours**

School spaces and facilities will be available to students, staff, and community members, before, during, and after the school day, on weekends, and during school vacations according to the Weekly Bulletin of each school. These spaces and facilities are available to community agencies and organizations offering physical activity and nutrition programs with prior school approval. School policies concerning safety will apply at all times.

## ***V. MONITORING AND POLICY REVIEW***

Each of the four governing councils/committees meets regularly to ensure compliance of this wellness plan. The plan will be reviewed every three years with the final document approved by the FCPS Board of Directors. Need to periodically monitor compliance with the policy and progress of meeting goals described within.

### **Nutrition Guidelines for Foods Available at School**

The FCPS Board shall adopt nutrition guidelines that meet or exceed state and federal nutrition standards for all foods available on each campus during the school day. These nutritional standards shall also apply to all foods and beverages sold to students, including foods and beverages provided through FCPS food service program, student stores or fundraisers.



### **Food As Reward**

School staff is directed to avoid the use of foods as a reward for students' academic performance, accomplishments, or classroom behavior. The objectives of these guidelines shall be to promote student health, reduce childhood obesity, support the health curriculum, make the Charter School environment safe for those with allergies and other medical conditions, and promote optimal health.

### **Marketing**

FCPS is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. FCPS strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on school property that contains messages inconsistent with the health information the Charter School is imparting through nutrition education and health promotion efforts. It is the intent of the Charter School to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the Charter School campus, consistent with the FCPS wellness policy.

Any foods and beverages marketed or promoted to students on the Charter School campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

### **Nutrition Promotion and Communication**

FCPS aims to teach, encourage, and support healthy eating. Schools should promote nutrition at each grade level as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health. The Wellness Plan will be promoted and communicated to parents and community through the following channels:

- FCPS Website
- Fall Parent Orientation
- Parent Nights held during the school year

### **Guidelines for Reimbursable Meals**

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. In order to maximize the FCPS ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch Program, to the extent possible.

### **Program Implementation and Evaluation**

The FCPS Board shall establish a plan for measuring implementation of the Plan. The Director of each school will designate at least one person at each school who is charged with operational responsibility for ensuring that the school site implements and complies with the FCPS Wellness Plan. The specific quality indicators that will be used to measure the implementation of the Plan CMO-wide shall include, but not be limited to: required state health and physical fitness assessments; nutrition and wellness education; an analysis of the nutritional content of meals served; student participation rates in school meal programs; sales of non-nutritious foods and beverages in fundraisers outside FCPS's meal programs; and feedback from food service personnel, school administrators, school staff, the Wellness team, parents/guardians, students, and other appropriate persons. The designee shall report to the FCPS Board at least every year on the implementation of this Plan and make recommendations for policy modifications, if any. The FCPS Wellness Team is also permitted to participate in the implementation, review and update of the policy.

### **Posting Requirements**

Each school shall post FCPS's Wellness Plan on its website and at each school site in the main school office for easy access and viewing by parents, students and community members.

## **Element 7 – Means to Achieve Racial and Ethnic Balance**

*“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(b)(5)(G).)*

### **COURT-ORDERED INTEGRATION**

Charter School shall comply with all requirements of the *Crawford v. Board of Education, City of Los Angeles* court order and the LAUSD Integration Policy adopted and maintained, pursuant to the Crawford court order, by the District’s Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

Charter School has set forth below its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 70:30 or 60:40 ratio. (*Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)*). The written plan lists specific dates and locations of recruitment activities that Charter School will undertake in order to achieve the District’s Racial and Ethnic Balance goal. Charter School shall monitor the implementation and outcomes of the initial plan, and modify it as necessary throughout the term of the Charter to achieve the District’s goal. Upon request, Charter School shall provide the District with a copy of its current written plan.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. The District may receive the Targeted Instructional Improvement Block Grant (TIIBG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIBG funding, where available, and cannot guarantee the availability of this funding.

### **MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE**

Fenton STEM Academy is a start-up charter school, but nevertheless, students do not generally travel great distances to attend. Recruiting efforts have been ongoing and continuous since the first year of operation with focus on ensuring a diverse student population. As a result, the Charter School’s population mirrors the racial and ethnic diversity found in the neighboring communities of Sun Valley, Sunland, Tujunga and other parts of the East San Fernando Valley. Since opening in August 2015, the Charter School has achieved success in maintaining a student population whose racial and ethnic balance matches that of the local area and the District.

Prior to the beginning of each school year (and by March 1<sup>st</sup>), the Charter School will publicize and conduct informational meetings to inform all segments of the community about the Charter School’s educational program and support services. Banners will be displayed around the Charter School and flyers will be posted in local businesses announcing meeting dates and enrollment opportunities. Meetings will be conducted at the campus to allow the opportunity for all interested parents and students to visit and tour the campus firsthand. All written and oral communication will be presented in English and Spanish, and other languages as necessary.

The Charter School will conduct Parent Orientation meetings yearly in the fall for each grade level yearly. Open House will be conducted once a year in the spring. Administrators will attend local Neighborhood Council and local Improvement Association meetings regularly to invite community members to events and extend general outreach to the community. Additionally, postcards inviting community members to events and tours of the Charter School will be mailed to the surrounding communities. The STEM Academy website will continue to be maintained as a current resource announcing upcoming dates for events at the Charter School which community members may be interested in attending.

This plan does achieve and attain the LAUSD racial and ethnic balance goal by providing targeted recruitment for a diverse student population. Fenton STEM Academy continues to achieve a racial and ethnic balance similar to resident schools and the Los Angeles Unified School District as measured by demographics reported to CALPADS.

## **Element 8 – Admission Requirements**

*“Admission requirements, if applicable.” (Ed. Code § 47605(b)(5)(H).)*

### **DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES**

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

### **HOMELESS AND FOSTER YOUTH**

Charter School shall adhere to the provisions of the federal McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Charter School is open to enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment.

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

### **NON-DISCRIMINATION**

Charter School shall not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

Charter School shall not request or require submission of a student’s IEP, Section 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

**In accordance with AB 699 enacted on October 4, 2017, the school's non-discrimination provision shall include immigration status.**

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, immigration status, 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.

### **ADMISSION REQUIREMENTS**

Fenton STEM Academy will not discriminate against any student on the basis of the characteristics listed in Education Code Section 220. The Charter School will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and shall not charge tuition.

No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will adhere to all laws establishing minimum age requirements for public school attendance. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. The Charter School shall comply with Education Code Section 47605(d)(1). In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

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

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

All new and returning parents, after their students are enrolled, will attend an orientation to review and sign the Home-School Agreement, Student Responsibility Code, Textbook Agreement, Technology Contract, and complete all emergency information.

## **STUDENT RECRUITMENT**

Recruitment efforts of students who are academically low achieving, students with disabilities, and economically disadvantaged students is conducted locally, throughout the East San Fernando Valley. Recruitment efforts include post cards to surrounding neighborhoods, attendance at local community events, and banners at the school site. Recruitment efforts have proven successful as the school site enrolls subgroup percentages similar and in many cases higher than the resident schools.

## **LOTTERY PREFERENCES AND PROCEDURES**

Applications will be accepted during a publicly advertised open enrollment period beginning January 1<sup>st</sup> for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Residents of the District
2. Siblings of students admitted to or attending the Charter School
3. Children of employees of FCPS (will not exceed 10% of enrollment).
4. All other students

The enrollment period will be advertised in the northeast San Fernando Valley beginning on January 1<sup>st</sup> and ending on approximately March 1<sup>st</sup> of each year. The enrollment period will begin February 1<sup>st</sup> and continue until all spots are filled. Postcards and flyers will be mailed to the surrounding community and parents and students will be invited to Open House and other informational venues to learn about FCPS.

The following procedures will be utilized for admission to the Charter School and in lottery, if needed:

- All interested parties may submit a lottery form which contains the name of the student, birth date, grade, address, phone number and parents'/guardians' names. The lottery form will be available in the main office of the Charter School beginning on February 1<sup>st</sup>.
- All lottery forms must be received by 4:00 p.m. on the first Friday in March of each year, and only one lottery form may be submitted per student. If it has been determined that more than one form has been submitted, the student will be disqualified.
- A drawing will be held at 5:00 p.m. on the second Friday in March in the Charter School multipurpose room of Fenton STEM Academy, a time when interested parties may attend and observe.
- Names will be drawn by a school staff member until all names have been called.
- Names of those drawn will be listed on a chart at the front of the auditorium for all participants to view.

- When all open spaces have been filled, it will be announced that names that are pulled from that point on will be placed on a waiting list with the first name drawn, the first on the waiting list unless declined by the parent.
- This process will continue until all forms have been drawn and all names listed on the chart.
- The Monday following the drawing, the parents of all students to be enrolled and those on the waiting list will be called by the Charter School office staff.
- Parents of students on the waiting list will be informed as to the student's place on this list.
- Parents of students selected for enrollment will be informed by phone, mail, or email that the enrollment process must be completed prior to the start of school, and no later than 9:00 a.m., the first Monday in June. If forms are not completed within this time frame, their child will lose the spot and the next name will be taken from the waiting list. (The exact date that forms must be completed will be calculated by the Director and communicated to the parent by the office staff by phone, mail, or email.)
- When a student from the waiting list is offered enrollment, the parent/guardian will have three days to determine whether to accept or reject the offer of enrollment.
- Lottery procedures and timelines will be posted yearly in the main office beginning on February 1<sup>st</sup>.
- The office manager of the Charter School will maintain all forms for all students who participated in the lottery for one year as well as the chart documenting the order of names selected.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to keep their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year.



## **Element 9 – Annual Financial Audits**

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

Charter School shall provide for an annual audit that shall be conducted in compliance with applicable state and federal laws, including but not limited to the requirements of Education Code sections 47605(b)(5)(I) and 41020 as they may be amended from time to time. Charter School shall ensure compliance with the requirements of section 41020(f)(2), which makes it unlawful, absent an Education Audits Appeal Panel waiver, for a public accounting firm to provide audit services to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous years.

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

- a. Provisional Budget – Spring prior to operating fiscal year
- b. Final Budget – July of the budget fiscal year
- c. First Interim Projections – November of operating fiscal year
- d. Second Interim Projections – February of operating fiscal year
- e. Unaudited Actuals – July following the end of the fiscal year
- f. Audited Actuals – December 15 following the end of the fiscal year
- g. Classification Report – monthly according to Charter School’s Calendar
- h. Statistical Report – monthly according to Charter School’s Calendar of Reports

In addition:

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

### **ANNUAL AUDIT PROCEDURES**

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

When the contract with the currently engaged auditing firm expires, the Executive Director and Chief Financial Officer will send a Request for Proposal (RFP) to various auditing firms. The auditor will have, at a minimum, a CPA and educational institution audit experience and approved by the State Controller on its published list as an educational audit provider. To the extent required

under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars. The Board of Directors of Fenton Charter Public Schools will approve the final selection on an independent auditor through this request for proposal format. Contracts may be offered for multiple years at the discretion of the Board.

The Executive Director, Chief Financial Officer, Directors of each FCPS school, Business Manager and Assistant Business Managers are responsible for working with the auditor to complete the audit in timely manner as prescribed by applicable law.

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year by the contracted auditing firm. The Executive Director is responsible for ensuring that the auditor sends the completed audit to the required agencies by the statutory deadline.

The Executive Director, Chief Financial Officer, along with the Ad Hoc audit committee, composed of current board members, will review any audit exceptions or deficiencies and report to the FCPS Board of Directors with recommendations on how to resolve them. The Board of directors will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

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

## **Element 10 – Suspension and Expulsion Procedures**

*“The procedures by which pupils can be suspended or expelled.” (Ed. Code § 47605(b)(5)(J).)*

### **GENERAL PROVISIONS**

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about and complies with the District’s Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

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

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

### **STUDENTS WITH DISABILITIES**

Charter School shall establish and implement policies and procedures to ensure full compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, pending the completion of the expulsion process, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement determined in coordination with the LAUSD Division of Special Education.

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

Manual. Prior to recommending expulsion for a student with a Section 504 Plan, Charter School's administrator will convene a Link Determination meeting to ask the following two questions:

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

### **NOTIFICATION OF THE DISTRICT**

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

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

Notwithstanding and apart from the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student's district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code section 49068 (a) and (b).

### **OUTCOME DATA**

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

## **REHABILITATION PLANS**

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School's governing board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

## **READMISSION**

Charter School's governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School's governing board shall readmit the pupil, unless Charter School's governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil's parent/guardian within a reasonable time.

## **REINSTATEMENT**

Charter School's governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

## **GUN-FREE SCHOOLS ACT**

Charter School shall comply with the federal Gun-Free Schools Act.

### **In accordance with E.C. 47605(J)**

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

- (i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.
- (ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

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

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

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

### **SCHOOL CLIMATE AND STUDENT DISCIPLINE SYSTEM**

The Charter School recognizes that appropriate school behavior is critical to the academic success and creating an effective learning community. A strong discipline foundation policy should minimize the loss of student instruction time due to removal from classes caused by misbehavior.

Effective teaching and modeling of school appropriate behavior is the responsibility of every adult at STEM. Effective school discipline includes the establishment of high standards of behavior, time for students to learn appropriate behavior, and fair and appropriate consequences for failure to meet behavior standards. Students share in the responsibility to uphold and respect the high standards of school behavior that contribute to the ability of all to learn.

Effective discipline maximizes the amount of time student and staff spent on effective teaching and learning and minimizes the amount of student and staff attention directed toward behavior that disrupts the learning process.

Effective discipline also considers the age and development of the student in framing instruction of appropriate behavior and consequences for misbehavior. It is educational not punitive and includes building relationships and using restorative practices to reengage students in their learning community.

The Charter School is committed to helping children grow academically, socially, and emotionally. In order for this to happen, it is imperative that we have an environment that is safe and conducive for growth. By setting forth clear social and behavioral expectations for everyone who enters our campus, and directly teaching students about those expectations, it is our goal to create a safe and positive atmosphere for optimal learning.

Our school-wide behavior plan is based on Positive Behavioral Interventions and Supports.

Our school-wide PBIS plan has four components:

- A behavioral expectations matrix
- Explicit teaching of the behavioral expectations
- An acknowledgement/reinforcement system
- A behavioral infraction notice

The Charter School has three school-wide behavioral expectations:

- Be Safe
- Be Respectful
- Be Responsible

### **Teaching Appropriate Behavior**

Through PBIS, students are taught school-wide expectations and have opportunities to practice them. Staff members teach what behaviors are expected in the hallways, cafeteria, bathroom, playground, classroom, before school, after school, and at assemblies.

### **Behavioral Infraction Notice**

While our school-wide PBIS approach emphasizes appropriate behaviors, some students may still violate school rules. In these situations, students will receive a behavioral infraction notice. In the instance that a student receives a behavioral infractions notice for a major infraction, the student will consequently receive an office referral. Major infractions are listed as Tier III behaviors in the table below.

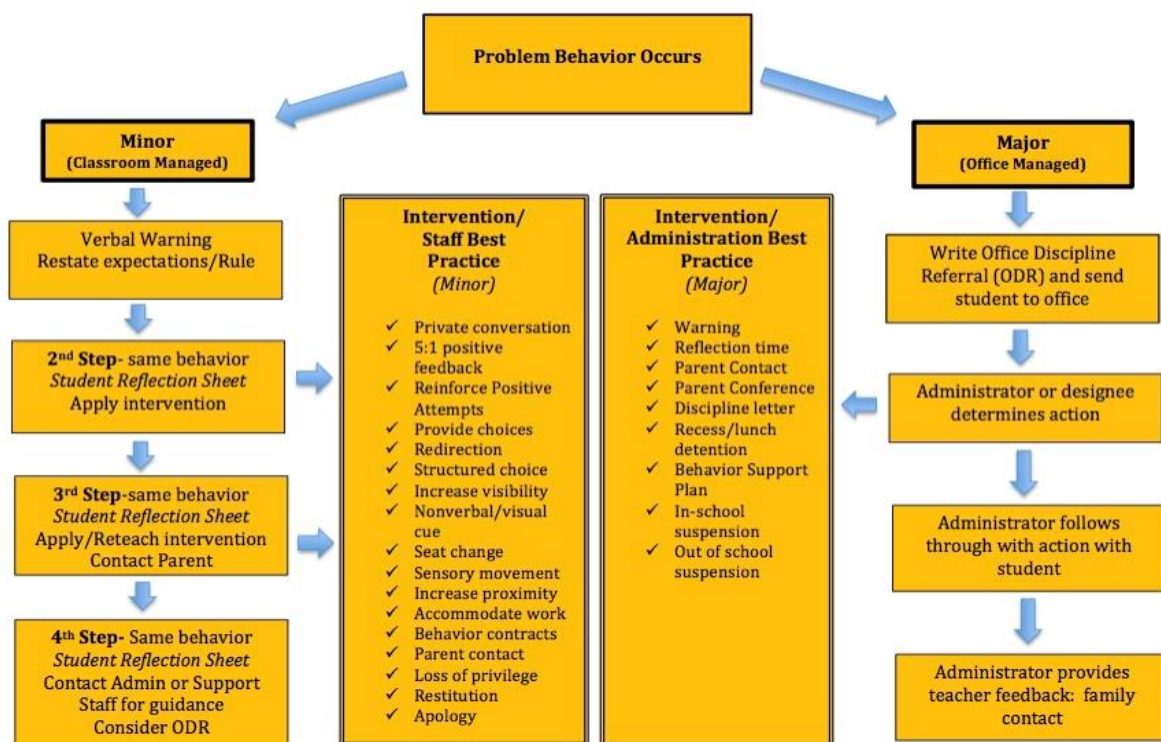
Our goal is to teach all of our students alternate behaviors to ensure a school environment that is safe, fun, free from distraction, and help all students reach their maximum potential.

### **Restorative Justice**

STEM Academy implements Restorative Justice practices in conjunction with School-wide Positive Behavior Intervention and Support which both promote trust and respect in relationships, setting the foundation for teaching and learning. The practices provide meaningful opportunities for students to develop self-discipline and positive behavior in a caring and supportive environment. The Restorative Justice model is a three-tiered model of prevention, intervention, and reentry in response to conflict and/or harm.

### **Positive Behavioral Interventions and Supports**

STEM Academy implements School-wide Positive Behavioral Interventions and Supports, which promotes trust and respect in relationships, setting the foundation for teaching and learning. The practices provide meaningful opportunities for students to develop self-discipline and positive behavior in a caring and supportive environment. The PBIS model is a three-tiered model of prevention, intervention, and reentry in response to conflict and/or harm. It is depicted in the graphic below.



The first tier of PBIS is prevention. Students are introduced and taught the school wide expectations during the first three weeks of school. The STEM Academy PBIS matrix is posted in each classroom and reminds students and staff of the expectations of behavior. Behaviors are reinforced and modeled throughout the year and the PBIS framework is revisited as necessary. These expectations are reinforced by all staff members on campus on a daily basis. Additionally, relationships based on trust and respect are developed between students and staff helping to strengthen the Charter School culture.

When a student engages in a behavior that does not match school-wide expectations, teachers and staff members can use a variety of strategies to redirect the behavior. The following illustrates Tier I behaviors and possible responses:

Tier I Behaviors*	Tier I Responses*
Off task/not focused, not keeping hands to him/herself, name calling, passing notes, visible electronic devices/ear buds, excessive noise making, out of seat, excessive talking, chewing gum/eating/drinking in class, throwing objects, yelling, not following directions, inappropriate/vulgar comments	Restate rules/expectations, redirect student, model and provide examples, proximity, precise praise, move students' seat, have student repeat behavior correctly, speak to the student privately, use positive framing

Tier II encompasses a smaller group of students (10-15%) who will require a more intensive intervention in order to consistently follow behavioral expectations. Tier III students (about 5%) will require the most intensive interventions for progress toward mastery of behavioral skills. The following table illustrates possible Tier II and Tier III behaviors as well as possible responses



and/or consequences. The following tables illustrate Tier II and Tier III behaviors, as well as possible responses.

Tier II Behaviors*	Tier II Responses*
Repeated Tier I behaviors with little positive response to Level I responses, rude or disrespectful behavior, throwing dangerous objects, horseplay, profanity, verbal harassment, no show for detention or reflection, violation of safety rules, committing dangerous acts, lying or misleading staff, misuse of school property, bullying, threatening bodily harm.	Peer mediation/ conflict resolution, detention/reflection in classroom (arranged by teacher), phone call to parent (best used in tandem with other responses), parent conference with or without admin, parent supervision, referral to counselor, referral to admin, student/teacher conference with admin, establishment of behavior tracker or daily check in, admin detention request, pre-suspension conference, confiscation, lunch detention, parent/student conference, SST referral, home visit, school based mentor
Tier III Behaviors*	Tier III Responses*: Immediate Office Referral and Incident Report
Repeated Tier II behaviors with little positive response to Level II responses, vandalism, using force against another student or staff member, leaving class or otherwise designated area without permission, weapons possession, drug possession, use, or distribution, fighting, threatening violence, participating in group violence, leaving school premises without permission, theft or possession of stolen property, lewd or indecent behavior, posting of slanderous, humiliating, bullying, or threatening materials around school or the internet, racist, sexist, sexually inappropriate, or other hateful speech towards students or staff, spitting on another, intoxication, any dangerous or illegal activity	<p>The following will serve as alternatives to suspension/expulsion, although the behaviors are listed as discretionary offenses for suspension and expulsion and could rise to that level:  Parent/student conference, SST referral, individual behavior student contract, home visit, parent supervision, individual counseling, threat assessment, school based mentors, multi-agency collaboration</p> <p>Additionally, the following responses can be considered:  In school suspension, out of school suspension, expulsion</p>

\*It is important to note that these lists are examples of behaviors and responses and there are behaviors and responses that are not listed.

All behavior that requires an office discipline referral (“ODR”), will be documented on the Illuminate database and on the SWIS Data App for the purposes of affecting change. It is important to note that all school stakeholders have a vested interest in creating a positive and safe learning environment for all students and staff.

### **Student Responsibilities:**

- Take responsibility for their behavior and hold themselves to high standards
- Work to achieve at high levels
- Come to school every day, on time, ready to learn
- Follow school and classroom expectations and rules
- Participate as members of the learning community
- Treat teachers, administrators, staff, other students and themselves with respect
- Help teachers and other students understand their culture and learn about and be respectful of the cultures of others

- Model positive behavior
- Participate in problem solving for individual and Charter School concerns

### **Family Responsibilities:**

- Take responsibility for the behavior of their student as determined by law, community practice and school expectations
- Participate in and support Charter School activities
- Teach students to be respectful of others and reinforce Charter School expectations
- Model positive, respectful and appropriate school behavior
- Teach students that behavior has consequences
- Encourage and praise their student's achievements
- Discuss feedback on progress with their student
- Communicate with Charter School staff to ensure that staff know and understand their student better and are better able to teach them effectively.

### **School Responsibilities:**

- Develop a school wide behavior plan and share with staff, students and families
- Ensure that new teachers, administrators and other staff know and understand the school wide plan and regularly review the school plan with all staff
- Review outcomes and modify plan, with particular attention to whether the Charter School is reducing the number of out of school suspensions
- Provide a process for addressing student concerns
- Implement a defined system for teaching the expectations at the beginning of the school year and periodically throughout the year; teach social skills to increase students' repertoire of appropriate responses
- Ensure that the Charter School is welcoming to families of all cultures and backgrounds
- Communicate Charter School expectations to families
- Inform families of both their student's positive behavior and of behavior-related concerns
- Communicate with families whose students have been victimized at school
- Ensure that teams of teachers and support staff provide interdisciplinary problem solving and to address identified needs
- Staff will receive ongoing professional development in the areas of student discipline and behavior interventions

### **IN-SCHOOL SUSPENSION**

If deemed necessary, STEM Academy will use In-School Suspension for Tier III behaviors and it will be overseen by the Administrative Coordinator. The procedures are the same as out-of-school suspension. Students will serve the suspension in an instructional setting, on campus (in the main office or classroom). The family of the suspended student will be notified by phone or an in-person meeting. The cause for suspension and interventions in place to support the student will be discussed during this notification, as well as the duration of the in-school suspension. Teachers will assign work and meet with the student during the day to ensure the student is accessing the educational assignments; teachers will follow up with parents as necessary regarding assigned

schoolwork. The maximum number of days of in-school suspension will not exceed two days per incident and five days in one academic year.

### **GROUND FOR OUT-OF-SCHOOL SUSPENSION AND EXPULSION**

This Element 10: Suspension and Expulsion Procedures Policy (“Policy”) has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this Policy, the Charter School has reviewed Education Code Section 48900 *et seq.*, which describes the noncharter schools’ list of offenses and procedures, to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion consistent with material revision requirements if applicable to a particular change.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School’s policy and procedures for student suspension and expulsion and it may be amended from time to time. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Parent/Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

#### **A. Grounds for Suspension and Expulsion of Students**

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

the school campus; d) during, going to, or coming from a school-sponsored activity.

## **B. Enumerated Offenses**

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

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

- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
  - u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site including, but not limited to:
      - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the

pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

- (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.



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

intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video, or image.
- ii. A post on a social network Internet Web site including, but not limited to:
  - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
  - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a

profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

iv. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.

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

a) Possessed, sold, or otherwise furnished any firearm or explosive unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Director or designee’s concurrence.

If it is determined by an Administrative Panel during an expulsion hearing or the Board of Directors in an expulsion appeal that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the

Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

### **C. Suspension Procedure (for in-school and out-of-school suspensions)**

The process for investigating incidents and collecting evidence will be fair and thorough. Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Director or the Director’s designee<sup>26</sup> with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Director or designee.

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

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

#### **2. Notice to Parents/Guardians**

At the time of the suspension, the Director or designee shall make a reasonable effort to contact

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<sup>26</sup> Designee as used in this Policy includes other administrators at the Charter School, such as Assistant Director or Administrative Coordinator.

the parent/guardian by telephone or in person when the parent comes to the Charter School. Whenever a student is suspended, the Director or designee shall notify the parent/guardian in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice shall also state the date and time when the student may return to school. If the Director or designee wish to ask the parent/guardian to participate in another meeting or phone conference regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

### 3. Suspension Time Limits/Recommendation for Expulsion

Out-of-school suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Suspensions shall not exceed twenty (20) school days in one school year, unless for purposes of adjustment, a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of school days for which the pupil may be suspended shall not exceed thirty (30) school days in any school year. Upon a recommendation of expulsion by the Director or Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference. This determination will be made by the Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others.

Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing. The student will receive meaningful access to education during suspension, and will have the opportunity to complete instructional activities missed due to his or her suspension. Suspended students will be able to communicate with designated classrooms teacher(s) or administrator(s) for any questions and for evaluation of work, and shall receive homework assignments and modified instruction during their suspension and be provided the opportunity to make up any missed exams.

### **D. Authority to Expel**

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

A student may be expelled by a neutral and impartial Administrative Panel following a hearing before it, and preceded by recommendation from the Director. The Administrative Panel shall consist of at least three members who are certificated employees and neither a teacher of the pupil nor a Board member of the Charter School's governing board. The Administrative Panel shall be presided over by a designated neutral hearing chairperson. The Charter School's Board will

appoint an impartial Administrative Panel. The Administrative Panel may expel any student found to have committed an expellable offense.

A student and his or her parents may appeal an expulsion decision by the Administrative Panel to the Charter School's Board, which will make the final determination. Following the appeal hearing, the Board will make a final decision based on the information presented at the appeal hearing by the parent(s)/guardian(s) and information from the original expulsion hearing.

### **E. Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. The interim placement for students who are suspended pending expulsion hearing and expulsion appeal hearing will be in accordance with the Alternative Educational Placement MOU with the District. If requested by the student through his or her representative, and unless postponed for good cause by the Director, designee, or Administrative Panel, the hearing shall be held within thirty (30) school days after the Director or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

The Administrative Panel will hold a hearing on the case, and will make a determination whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the student through his or her representative makes a written request for a public hearing no later than three (3) days prior to the hearing.

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five-day notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the Administrative Panel, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The Administrative Panel may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Administrative Panel may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The Administrative Panel may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand/area where the witness will be seated during the hearing.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The Administrative Panel member presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the hearing during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

#### **G. Record of Hearing**

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. A copy of the recording is available to the pupil, parent, or guardian with five (5) business days of a written request.

#### **H. Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs, such as but not limited to testimony or documentary evidence of a similar nature as that used in other types of hearings or official proceedings. A determination by the Administrative 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. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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



The decision of the Administrative Panel shall be in the form of written findings of fact.

If the Administrative Panel decides not to expel, the pupil shall immediately be returned to his/her educational program.

#### **I. Written Notice to Expel**

The Director or designee, following a decision of the Administrative Panel to expel, shall, within seven (7) calendar days of the decision, send written notice of the decision to expel, including the Administrative Panel's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense(s) committed by the student; (b) Notice of appeal rights/procedures; and (c) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

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

#### **J. Disciplinary Records**

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

#### **K. Right to Appeal**

Parents/Guardians may appeal the expulsion decision of the Administrative Panel by making a written request and submitting it to the Board within fifteen (15) school days of the expulsion decision. The student will be considered suspended until a Board meeting is convened [within thirty (30) days] at which time the parent(s)/guardian(s) must attend to present their appeal. Reasonable accommodations will be made, and language support offered, for students and parents/guardians who wish to appeal. Following the appeal hearing, the Board will make a final decision based on the information presented at the appeal hearing by the parent(s)/guardian(s) and information from the original expulsion hearing. The Director or designee will send written notice to the student or parent/guardian of the Board's decision within seven (7) calendar days of the appeal hearing. The Charter School Board's decision to uphold the administrative panel's decision to expel shall be final.

#### **L. Expelled Pupils/Alternative Education**

The Charter School shall work cooperatively with parents/guardians to assist with locating alternative placements during expulsion, including but not limited to assisting parents/guardians with referrals to the school district of residence or County Office of Education.

## **Element 11 – Employee Retirement Systems**

*“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” (Ed. Code § 47605(b)(5)(K).)*

Charter School shall comply in a timely manner with all applicable federal and state laws and regulations, as they may change from time to time, including but not limited to Internal Revenue Code section 414(d) and related regulations, governing Charter School’s participation in, and/or coverage of its staff members by, the State Teachers’ Retirement System (CalSTRS), the Public Employees’ Retirement System (CalPERS), and/or federal social security.

If Charter School participates in, or otherwise covers its staff members by enrolling or continuing their enrollment in, a “government plan” governed by section 414(d) (e.g., CalPERS), upon dissolution or final liquidation of Charter School, and/or its nonprofit public benefit corporation, notwithstanding any provision in Element 15 to the contrary, Charter School shall distribute its net assets in accordance with section 414(d), related regulations, and the government plan’s requirements.

If Charter School participates in CalSTRS and/or CalPERS, Charter School shall continue such participation for the duration of Charter School’s existence under the same CDS code, if mandated by applicable legal and retirement plan requirements.

### **CERTIFICATED STAFF MEMBERS**

All full-time certificated employees of Fenton Charter Public Schools will continue to be members of the California State Teachers’ Retirement System (“CalSTRS”). Employees will contribute the required percentage and the Fenton Charter Public Schools will contribute the employer’s portion as designated by CalSTRS. All withholdings from employees and from Fenton Charter Public Schools will be forwarded to the CalSTRS fund as required.

Employees will accumulate service credit years in the same manner as all other members of CalSTRS.

The Assistant Business Managers are responsible for ensuring that all eligible certificated employees are enrolled in CalSTRS and remain enrolled in CalSTRS throughout their employment at Fenton Charter Public Schools.

Fenton STEM Academy will continue participation in the California State Teachers’ Retirement System for the duration of the Charter School’s existence under the current CDS code.

### **NON-CERTIFICATED STAFF MEMBERS**

All full-time non-certificated employees will continue to be members of the California Public Employees' Retirement System ("CalPERS"). Employees will contribute the required percentage and Fenton Charter Public Schools will contribute the required employer's percentage as designated by CalPERS. All withholdings from employees and from Fenton Charter Public Schools will be forwarded to the CalPERS fund as required.

Employees will accumulate service credit years in the same manner as all other members of PERS.

Social Security payments will be contributed for all qualifying PERS members.

The Assistant Business Managers are responsible for ensuring that all eligible non-certificated employees are enrolled in CalPERS and remain enrolled in CalPERS throughout their employment at Fenton Charter Public Schools.

Fenton STEM Academy will continue participation in the California Public Employees' Retirement System for the duration of the Charter School's existence under the current CDS code.

### **OTHER STAFF MEMBERS**

Fenton Charter Public Schools will continue to participate in the Public Agency Retirement System ("PARS") for all non-CalPERS/CalSTRS eligible part-time employees. Employees will contribute the required percentage and Fenton Charter Public Schools will contribute the employer's portion as designated by PARS. All withholdings from employees and from Fenton Charter Public Schools will be forwarded to the PARS fund as required.

Employees will accumulate service credit years in the same manner as all other members of PARS.

The Assistant Business Managers are responsible for ensuring that all eligible certificated employees are enrolled in PARS and remain enrolled in PARS throughout their employment at Fenton Charter Public Schools.

Fenton STEM Academy will continue participation in the Public Agency Retirement System for the duration of the Charter School's existence under the current CDS code.

## Element 12 – Public School Attendance Alternatives

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

Pupils of Charter School do not have or gain any right to admission in a particular school of any school district, or program of any school district, as a consequence of applying to or enrolling in Charter School, except to the extent that such a right is extended by the school district.

A pupil who chooses not to attend Charter School may attend a public school within the pupil's school district of residence in accordance with applicable law and that school district's policies and procedures. The pupil alternatively may seek to enroll in another charter school in accordance with applicable law and the terms of the school's charter. If LAUSD is the pupil's school district of residence, an eligible pupil may pursue an inter-district transfer, if available, in accordance with the admission, enrollment, and transfer policies and procedures of the District, as they may change from time to time.

No student may be required to attend the Charter School.

To inform parents and students of their public school attendance alternatives, the District's open enrollment period is well publicized by the Charter School and parents are assisted as needed with documentation and locations of neighboring schools. The parents of students matriculating to middle school from the Charter School are especially interested in their options for middle school enrollment. During the months of December and January, all charter middle schools in the area hold informational meetings at the Fenton STEM Academy campus. LAUSD Magnet, Permits With Transportation and open enrollment program information is also shared with Charter School parents and guardians.

### Element 13 – Rights of District Employees

*“The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” (Ed. Code § 47605(b)(5)(M).)*

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

## **Element 14 – Mandatory Dispute Resolution**

*“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” (Ed. Code § 47605(b)(5)(N).)*

### **GENERAL PROVISIONS**

Any claim, controversy or dispute between the District and Charter School arising out of or relating to this Charter, except for any claim, controversy or dispute related to the authorization (non-renewal, revision and/or revocation) of this Charter, (“Dispute”) shall be resolved pursuant to the terms of this Element 14.

Notwithstanding any other provision of law, each party shall bear and be solely responsible for all of its own attorneys’ fees, costs and expenses associated with any Dispute, including, but not limited to, any written/oral communication, meeting, Issues Conference, mediation, arbitration, administrative and/or civil action (including all levels of appeal), and no party shall be ordered to pay, or be awarded, any other party’s attorneys’ fees, costs or expenses in connection therewith, regardless of who may be deemed the prevailing party. Any fees, costs and expenses charged by a mediator or arbitrator (including all associated administration fees, costs and expenses) shall be shared equally by the parties regardless of the outcome or award. To that effect, any order or award of attorneys’ fees, costs and/or expenses, or mediator’s or arbitrator’s fees, costs or expenses (including any associated administration fees, costs and expenses), issued by a mediator, arbitrator, judicial officer (including all levels of appeal) or jury in any Dispute shall be deemed invalid as a matter of law and unenforceable by one party against the other party.

### **PROPOSITION 39 DISPUTES**

Any Dispute related to or arising out of Education Code §47614 and/or its implementing regulations set forth in California Code of Regulations, title 5, section 11969 *et seq.* (“Proposition 39”), shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and all supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise, all Written Notifications to the District and Charter School shall be addressed respectively as follows:

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

Director/Principal  
[Charter School Name]  
[Charter School Address]

- 2) A written response (“Written Response”) shall be tendered to the other party within fifteen (15) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been resolved by mutual agreement from the Written Response, the parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.
- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, and conclude within forty (40) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 5) If the mediation is not successful, either party may then initiate a civil action. Venue for any civil action between the parties shall be the Los Angeles County Superior Court.

## **NON-PROPOSITION 39 DISPUTES**

Any Dispute not related to or arising out of Proposition 39 shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise all Written Notifications to the District and Charter School shall be addressed respectively as follows:

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

Director/Principal  
[Charter School]  
[Charter School Address]

- 2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been otherwise resolved by mutual agreement, the parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.
- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual



agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.

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

## **Element 15 – Charter School Closure Procedures**

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

### **REVOCATION OF THE CHARTER**

The District may revoke the Charter pursuant to the provisions set forth in the Charter Schools Act of 1992, as they may be amended from time to time. The District may revoke the Charter of Charter School if the District finds, through a showing of substantial evidence, that Charter School did any of the following:

- Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the Charter.
- Charter School failed to meet or pursue any of the pupil outcomes identified in the Charter.
- Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Charter School violated any provision of law.

Prior to revocation, and in accordance with Education Code section 47607(d) and state regulations, the LAUSD Board of Education will notify Charter School in writing of the specific violation, and give Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution provisions set forth in this Charter.

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

### **CLOSURE ACTION**

The decision to close Charter School, by the governing board of Charter School must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of Education Code section 47607(i)) or non-renewed by the LAUSD Board of Education and Charter School has exhausted its revocation or non-renewal administrative appeal rights pursuant to Education Code sections 47605(j)(1) and 47607(f), or its administrative appeal rights have lapsed, or the charter school voluntarily closes at any stage of the administrative appeal process;; the governing board of Charter School votes to close Charter School; or the Charter lapses.

## **CLOSURE PROCEDURES**

The procedures for charter school closure set forth below are guided by Education Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962 and 11962.1, and are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” posted on the California Department of Education website. All references to “Charter School” apply to Charter School, including its nonprofit corporation and governing board.

### **Designation of Responsible Person(s) and Funding of Closure**

Prior to or at the time of the taking of a Closure Action by either the governing board of Charter School or the LAUSD Board of Education, the governing board of Charter School shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how Charter School will fund, these activities.

### **Notification of Closure Action**

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The LAUSD Charter Schools Division (CSD). Charter School shall provide the CSD with written notice of (1) the person(s) designated to be responsible for conducting and overseeing all closure activities, and (2) the source, location, and management of the funding for such activities. If the Closure Action is an act of Charter School, Charter School shall provide the CSD with a copy of the governing board resolution or minutes that documents its Closure Action.
2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Charter School within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written parent notification to the CSD.
3. Los Angeles County Office of Education (LACOE). Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
4. The Special Education Local Plan Area (SELPA) in which Charter School participates. Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
5. The retirement systems in which Charter School’s employees participate. Within fourteen (14) calendar days of the Closure Action, Charter School shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of these notifications and correspondence to the CSD.

6. The California Department of Education (CDE). Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.
7. Any school district that may be responsible for providing education services to the former students of Charter School. Charter School shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.
8. All Charter School employees and vendors within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written employee and vendor notification, with any attachments, to the CSD.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of the student's cumulative record and other records, including but not limited to grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results
3. Information on student completion of college entrance requirements, for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The date and manner, which shall be no later than 30 days from the effective date of the closure of Charter School, by which Charter School shall provide employees with written verification of employment

Within 30 calendar days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of all such employee verification letters to the CSD.

### **Records Retention and Transfer**

Charter School shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Charter School records, including student records. These requirements include:

1. Charter School shall provide the District with all original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of Charter School. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.
2. Charter School's process for transferring copies of student records to receiving schools shall be in accordance with applicable law and LAUSD procedures for students moving from one school to another.
3. Charter School shall prepare and provide an electronic master list of all students to the Charter Schools Division in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the CSD in the form of a CD or otherwise in accordance with District procedures.
4. Charter School must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Charter School will coordinate with the CSD for the delivery and/or pickup of student records.
5. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.

6. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, and Title I records (if applicable).
7. Charter School must provide to the CSD the name, title, and contact information of the person designated to maintain all Charter School personnel records after the closure. Personnel records to be transferred to and maintained by the designee must include any and all employee records, including but not limited to, records related to performance and grievance. Charter School must provide to the CSD and the designee a list of all active and inactive employees and their periods of service. Both Charter School and the designee, individually and separately, shall inform the CSD immediately upon the transfer of Charter School's employee records to the designee.
8. Charter School shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
9. Charter School shall provide to the responsible person(s) designated by the governing board of Charter School to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

#### **Financial Close-Out**

After receiving notification of closure, the California Department of Education (CDE) will notify Charter School and the authorizing entity of any liabilities Charter School owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

Charter School shall ensure completion of an independent final audit within six months after the closure of Charter School that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to Charter School.

This audit may serve as Charter School's annual audit if it meets all of the requirements of the annual audit.

Charter School shall pay for the financial closeout audit of Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by Charter School will be the responsibility of Charter School and not LAUSD. Charter School understands and acknowledges that Charter School will

cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which Charter School participates, and other categorical funds will be returned to the source of funds.

Charter School shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. These reports should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed Charter School with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

### **Disposition of Liabilities and Assets**

The closeout audit must identify the disposition of all liabilities of Charter School. Charter School closure procedures must also ensure appropriate disposal, in accordance with the District Required Language provisions in Element 11 of this Charter, Charter School's governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of Charter School have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. Charter School, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Charter School by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and Charter School shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Charter School is operated as or by a nonprofit corporation, and if the corporation does not have any functions other than operation of Charter School, the corporation shall be dissolved according to its bylaws.

Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

Charter School's governing board shall adopt a plan for wind-up of Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Charter School shall provide LAUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which Charter School will make the payments.

Prior to final close-out, Charter School shall complete all actions required by applicable law, including but not limited to the following:

- a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.
- b. Make final federal tax payments (employee taxes, etc.)
- c. Complete and submit all required federal and state filings and notices to the State of California, the Internal Revenue Service, and the Department of the Treasury, including but not limited to final tax returns and forms (e.g., Form 990 and related Schedules).

This Element 15 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end Charter School's authorization to operate as a charter school or cause Charter School to cease operation. Charter School agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 15 or any provision of this Element 15 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.



## **Additional Provisions**

### **FACILITIES**

Charter School shall comply with all geographic and site limitations and related requirements set forth in Education Code sections 47605.1, 47602(a), and 47605(a).

#### **District-Owned Facilities**

If Charter School is using District facilities as of the date of the submission of this charter petition or takes occupancy of District facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by the District for the use of the District facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any District facilities, Charter School shall execute an agreement provided by the District for the use of the District facilities prior to occupancy and commencing use. Charter School shall implement and otherwise comply with the terms of any and all applicable facilities use agreements between Charter School and the District.

The circumstances of Charter School's occupancy of District facilities may change over time such as, but not limited to, enrollment, programs, and the conditions of facilities, and the District has a vested interest in having an agreement that is appropriate for the situation.

For a Sole Occupant Agreement or any other use agreement that is not a Proposition 39 Single Year Co-location Use Agreement or a lease issued through the Notice of Intent and bid process, the term may be co-terminous with the approved Charter, as permitted by law. Charter School and the District shall negotiate any modifications of the agreement with the goal of such amendment or new agreement being considered by the LAUSD Board of Education with the renewal of the charter petition. If Charter School and the District cannot execute an agreement in time for such to be considered by the Board of Education with the renewal of the charter petition, the approval of the renewal of the charter petition shall be conditioned upon Charter School and the District executing an amendment to the existing use agreement or a new agreement no later than May 1<sup>st</sup> 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 30<sup>th</sup> of said school year.

Charter School acknowledges and agrees that occupancy and use of District facilities shall be in compliance with applicable laws and District policies for the operation and maintenance of District facilities and furnishings and equipment. Charter School shall comply with all District health, safety, and emergency procedures and requirements and shall be subject to inspection by the District's Facilities Services Division, OEHS, and other District offices in the same manner as other LAUSD campuses. All District facilities (i.e., schools) will remain subject to those laws applicable to public schools.

In the event of an emergency, all District facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations, which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of District facilities with other District user groups, Charter School agrees that it will participate in and observe all District safety policies (e.g., emergency chain of information and participation in safety drills).

The use agreements provided by the District for District facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- Use: Charter School will be restricted to using the District facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the Charter and incidental related uses. Separate and apart from its right as authorizer to observe and inspect any part of the charter school at any time pursuant to Education Code 47607(a)(1), the District shall have and reserves the right to inspect District facilities upon reasonable notice to Charter School.
- Furnishings and Equipment: The District shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.
- Leasing; Licensing: Use of the District facilities by any person or entity other than Charter School shall be administered by the District. The parties may agree to an alternative arrangement in the use agreement.
- Programs, Services, and Activities Outside Instructional Program; Third Party Vendors
  - (i) Any program, service, or activity provided outside the instructional program shall be subject to the terms and provisions of the use agreement, and, additionally, may require a license, permit, or additional agreement issued by the District. The term “instructional program” is defined, per Education Code section 47612 and 5 CCR section 11960, as those required educational activities that generate funding based on “average daily attendance” and includes those extracurricular programs, services, and/or activities that students are required to participate in and do not require the payment of any consideration or fee.
  - (ii) Any program, service, or activity requiring the payment of any consideration or fee or provided by a third party vendor (defined as any person or entity other than Charter School), whether paid or volunteer and regardless of whether such may be within the instructional program, shall be subject to the terms and provisions of the use agreement and such third party vendor shall be required to obtain a license, permit, or additional agreement from the District.
- Minimum Payments or Charges to be Paid to District Arising From the Facilities:
  - (i) Pro Rata Share: The District shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter Schools Act of 1992 and its

regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and

(ii) Taxes; Assessments: Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School's legal or equitable interest created by the use agreement.

- Maintenance & Operations Services: In the event the District agrees to allow Charter School to perform any of the operation and maintenance services, the District shall have the right to inspect the District facilities, and the costs incurred in such inspection shall be paid by Charter School.

(i) Co-Location: If Charter School is co-locating or sharing the District facilities with another user, the District shall provide the operations and maintenance services for the District facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

(ii) Sole Occupant: If Charter School is a sole occupant of District facilities, the District shall allow Charter School, at its sole cost and expense, to provide some operations and maintenance services for the District facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, the District shall provide all services for regulatory inspections which as the owner of the real property it is required to submit, and deferred maintenance, and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

- Real Property Insurance: Prior to occupancy, Charter School shall satisfy requirements to participate in LAUSD's property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall **not** have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

### **Non-District-Owned Facilities**

**Occupancy and Use of the Site**: Prior to occupancy or use of any school site or facility, Charter School shall provide the CSD with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency that allows Charter School to use and occupy the site as a charter school. Charter School shall not exceed the operating capacity of the site and shall operate within any limitations or requirements provided by the Certificate of Occupancy and any applicable permit. Charter School may not open or operate without providing a copy of an appropriate Certificate of Occupancy to the CSD. If Charter School intends to move or expand to another facility during the term of this Charter, Charter School shall adhere to any and all District

policies and procedures regarding charter material revision and non-material amendment. Prior to occupancy or use of any such additional or changed school site, Charter School shall provide an appropriate Certificate of Occupancy to the CSD for such facility. Notwithstanding any language to the contrary in this Charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

**Facility Compliance:** Prior to occupancy or use of any non-District-owned school site and/or facility, Charter School shall ensure that the site and/or facility complies with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which Charter School is to be located, federal and state accessibility requirements (including the Americans with Disabilities Act (ADA) and Section 504), and all other applicable fire, health, and structural safety and access requirements. This requirement shall also apply to the construction, reconstruction, alteration of or addition to the facility. Charter School shall resolve in a timely manner any and all corrective actions, orders to comply, and notices issued by any authorized building and safety agency. Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Charter School shall maintain on file readily accessible records that document facilities compliance and shall promptly provide such documentation to the CSD upon request.

**Pest Management:** Charter School shall comply with the Healthy Schools Act, Education Code section 17608, which details pest management requirements for schools.

**Asbestos Management:** Charter School shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

## **INSURANCE**

### **Insurance Requirements**

No coverage shall be provided to Charter School by the District under any of the District's self-insured programs or commercial insurance policies. Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] or the equivalent provided through a California Joint Powers Authority self-insurance program to protect Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners, and/or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles as named

additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.

2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a student transportation service. If Charter School provides student transportation services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
4. Crime Insurance or Fidelity Bond coverage shall be maintained by Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment, or other assets. Minimum amount of coverage shall be \$1,000,000 per occurrence/\$1,000,000 aggregate, with deductible that is acceptable to the Los Angeles Unified School District.
5. Cyber Liability insurance coverage with minimum limits of \$500,000 per occurrence and \$500,000 general aggregate.
6. Professional Educators Errors and Omissions liability coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
7. Sexual Molestation and Abuse coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.
8. Employment Practices Legal Liability coverage with limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
9. Excess/Umbrella Liability insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies and alternative methods of coverage as approved by the District. *The policy shall be endorsed to name the Los Angeles Unified School District and Its Board of Education as named additional insureds and shall provide specifically*

*that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.*

### **Evidence of Insurance**

Charter School shall furnish to the District's Division of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28<sup>th</sup> Floor, Los Angeles CA 90017 within 30 calendar days of all new policies, inceptions, renewals or changes, certificates, or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

*"Charter school shall be required to provide LAUSD with 30 days prior written notice by certified mail, return receipt requested, if the insurance afforded by this policy shall be suspended, cancelled, reduced in coverage limits or non-renewed."*

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.

Should Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to Charter School, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the District and its purchase shall be the responsibility of Charter School.

### **Hold Harmless/Indemnification Provision**

To the fullest extent permitted by law, Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever, arising out of, or relating to, this Charter agreement. Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by Charter School and/or its officers, directors, employees or volunteers. Moreover, Charter School agrees to indemnify, defend and hold harmless "the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers, for any contractual liability resulting from third party contracts with Charter School's vendors, contractors, partners or sponsors.

## **FISCAL MATTERS**

### **District Oversight Costs**

The District may charge for the actual costs of oversight of Charter School not to exceed 1% of Charter School's revenue, or the District may charge for the actual costs of oversight of Charter School not to exceed 3% if Charter School is able to obtain substantially rent free facilities from

the District. Notwithstanding the foregoing, the District may charge the maximum oversight fee allowed under the law as it may change from time to time. The oversight fee provided herein is separate and distinct from the charges arising under charter school facilities use agreements.

### **Cash Reserves**

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, title 5 of the California Code of Regulations.

### **Third Party Contracts**

Charter School shall ensure that all third party contracts, whether oral or written, for supplies, equipment, goods and/or services, for the direct or indirect benefit of, or otherwise related to the operation of, Charter School, require compliance with and otherwise conform to all applicable local, state, and federal policies, regulations, laws, and guidelines, including but not limited to licensing and permit requirements as well as requirements related to protection of health and safety.

### **Special Education Revenue Adjustment/Payment for Services**

In the event that Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State's adjustment to allocation of special education revenues from Charter School, Charter School authorizes the District to deduct any and all of the in lieu property taxes that Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.

### **Student Body Funds**

Charter School shall supervise and manage any and all student body funds in a manner consistent with the provisions of Education Code sections 48930-48938. Charter School shall include and address student body funds in its financial reports, and ensure that such funds are included and addressed in Charter School's annual audit as a stand-alone item.

### **Audit and Inspection of Records**

Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining its charter authorization:

- Charter School is subject to District oversight.
- The District's statutory oversight responsibility continues throughout the life of the Charter and requires that the District, among other things, monitors the fiscal condition of Charter School.
- The District is authorized to revoke this Charter for, among other reasons, the failure of Charter School to meet generally accepted accounting principles or if Charter School engages in fiscal mismanagement.

Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the District Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter agreement,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of Charter School's financial information,
- Charter School's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- Charter School's enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hours notice.

#### **Fiscal Policies and Procedures**

Charter School shall establish, maintain, and implement sound fiscal policies and procedures, including but not limited to internal controls governing all financial and business-related activities.

#### **Apportionment Eligibility for Students Over 19 Years of Age**

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. (Ed. Code § 47612(b).)

#### **Local Control and Accountability Plan**

In accordance with California Education Code sections 47604.33 and 47606.5, Charter School shall include in its annual update a "listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)" of section 47606.5(a). These expenditures shall be "classified using the California School Accounting Manual pursuant to Section 41010." (Ed. Code § 47606.5(b).)



## ADDENDUM

### Assurances, Affirmations, and Declarations

Fenton STEM Academy: Elementary Center for Science, Technology, Engineering and Mathematics (also referred to herein as “STEM Academy” and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(d)(1).)
- Not charge tuition. (Ed. Code § 47605(d)(1).)
- Not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code. (Ed. Code § 47605(d)(1); Ed. Code § 220.)
- Except as provided in Education Code section 47605(d)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. (Ed. Code § 47605(d)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(d)(2)(A).)
- Except for existing pupils of Charter School, determine attendance by a public random drawing if the number of pupils who wish to attend Charter School exceeds Charter School’s capacity. Preference shall be extended to pupils currently attending Charter School and pupils who reside in the Los Angeles Unified School District (also referred to herein as “LAUSD” and “District”). (Ed. Code § 47605(d)(2)(B).)
- If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. (Ed. Code § 47605(d)(3).)
- Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. (Ed. Code § 47605(c)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(c)(2).)

Charter School hereby declares that Charter School, operated as or by its nonprofit public benefit corporation, is and shall be the exclusive public school employer of Charter School’s employees for the purposes of the Educational Employment Relations Act (EERA), Chapter 10.7 (commencing with

Section 3540) of Division 4 of Title I of the Government Code. Charter School shall comply with all provisions of the EERA and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

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

## **Element 1 – The Educational Program**

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

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

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

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

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Los Angeles County Superintendent of Schools and the Charter Schools Division (CSD) on or before July 1. In accordance with Education Code sections 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code section 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. Charter School shall comply with all requirements of Education Code section 47606.5, including but not limited to the requirement that Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.” (Ed. Code § 47606.5(e).)

## **ACADEMIC CALENDAR AND SCHEDULES**

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

## **MATHEMATICS PLACEMENT**

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

## **TRANSITIONAL KINDERGARTEN**

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

## **HIGH SCHOOL EXIT EXAMINATION**

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

## **WASC ACCREDITATION**

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

## **ENGLISH LEARNERS**

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

On an annual basis, upon request, Charter School shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School has adopted and is implementing either the LAUSD English Learner Master Plan *or* Charter School's own English Learner (EL)

Master Plan. If Charter School chooses to implement its own EL Master Plan, the plan shall provide a detailed description of Charter School's EL program, and shall address the following:

- How Charter School's EL Master Plan provides all of its English Learners, including but not limited to Long Term English Learners (LTELs) with an effective English language acquisition program as well as meaningful and equitable access to Charter School's core academic curriculum
- How English Learners' specific needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How Charter School will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services

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

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

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

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

## **STUDENTS WITH DISABILITIES**

### **Federal Law Compliance**

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

### **Special Education Program**

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

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

Plan for Special Education and shall be considered a “public school of the District” for purposes of Special Education pursuant to Education Code Section 47641(b). However, Charter School reserves the right to make written verifiable assurances that it may become an independent local educational agency (LEA) and join a SELPA pursuant to Education Code Section 47641 (a) either on its own or with a grouping of charter school LEAs as a consortium following the requirements of Education Code section 56195.3(b).

### **SELPA Reorganization**

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a). As a single-District SELPA, the District has created two charter school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year requiring all District-authorized charter schools to elect one of the three options available under the LAUSD SELPA. Prior to an option election, all District-authorized charter schools were required to participate as a school of the District under the District-Operated Programs Unit. Prior to the beginning of the 2013-2014 school year, all District-authorized charter schools, other than those that had previously executed an Option 3 Memorandum of Understanding (“MOU”), were required to execute a new MOU setting forth the LAUSD SELPA option election for the remainder of the charter petition term. The Charter-operated Program schools do not have LEA status for the purposes of special education but will function in a similar role in that each charter school will be responsible for all special education requirements, including but not limited to services, placement, due process, related services, special education classes, and special education supports. Charter schools that have elected to participate in a District-operated programs option may apply for membership in the Charter-operated Program section of the SELPA. Charter schools accepted for participation in the Charter-operated Programs section receive support from a Special Education Director for the Charter-operated Programs.

### **Modified Consent Decree Requirements**

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

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

- End of Year Suspension

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

- Statewide Assessment Data

The standard file including District ID.

- Norm day

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

- CBEDS

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

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

- Dropout

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

- Monthly SESAC and Suspension data

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

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

## **Element 2 – Measurable Pupil Outcomes and Element 3 – Method by which Pupil Progress Toward Outcomes will be Measured**

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

*“The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.” (Ed. Code § 47605(b)(5)(C).)*

### **MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM**

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

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

### **STANDARDIZED TESTING**

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

## **Element 4 – Governance**

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

### **GENERAL PROVISIONS**

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

Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

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

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

## **LEGAL AND POLICY COMPLIANCE**

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action.<sup>27</sup>

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

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

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

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

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<sup>27</sup>The District is in the process of compiling a list of LAUSD policies that apply to its authorized charter schools. The list will be finalized by April 1, 2018. Charter Schools Division staff will annually review District policies and make recommendations to the LAUSD Board of Education on continued application to charter schools.



## **TITLE IX, SECTION 504, AND UNIFORM COMPLAINT PROCEDURES**

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

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

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

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

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

## **RESPONDING TO INQUIRIES**

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

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School’s operations, or breach of the Charter, is received or discovered by the District, Charter School, including but not limited to its nonprofit corporation, employees, and

representatives, shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

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

### **NOTIFICATION OF THE DISTRICT**

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

### **STUDENT RECORDS**

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

### **PARENT ENGAGEMENT**

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

### **FEDERAL PROGRAM COMPLIANCE**

As a recipient of federal funds, Charter School has agreed to meet all applicable programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) and other applicable federal programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of ESEA and other applicable federal programs. Charter School also acknowledges that, as part of its

oversight of Charter School, the District may conduct program review for federal as well as state compliance.

## **Element 5 – Employee Qualifications**

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

### **EQUAL EMPLOYMENT OPPORTUNITY**

Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including but not limited to recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

### **ESEA/ESSA AND CREDENTIALING REQUIREMENTS**

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

## **Element 6 – Health and Safety Procedures**

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

### **HEALTH, SAFETY AND EMERGENCY PREPAREDNESS PLAN**

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

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

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

Charter School shall provide all employees, and other persons working on behalf of Charter School who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person’s employment if employed after the beginning of the school year, in accordance with the requirements of AB 1432 (2014).

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

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

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

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

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

## **CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING**

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

Charter School shall maintain on file and available for inspection evidence that (1) Charter School has performed criminal background checks and cleared for employment all employees prior to employment; (2) Charter School has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal

background clearances for its employees prior to provision of school site services and/or any contact with students, and has requested subsequent arrest notification service; and (3) Charter School has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. Charter School shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, Charter School shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records. Charter School, including its administrators and officers, shall comply with the requirements of Education Code section 44030.5.

### **IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS**

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

Charter School shall comply with all federal and state legal requirements, including but not limited to the requirements of SB 277 (2015), related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain student immunization, health examination, and health screening records on file.

### **SAFE PLACE TO LEARN ACT**

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

### **SUICIDE PREVENTION POLICY**

If Charter School serves students in grades 7-12, Charter School shall comply with the requirements of AB 2246 (2016), codified in Education Code section 215, including but not limited to the requirement that the school's pupil suicide prevention policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

## **Element 7 – Means to Achieve Racial and Ethnic Balance**

*“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(b)(5)(G).)*

### **COURT-ORDERED INTEGRATION**

Charter School shall comply with all requirements of the *Crawford v. Board of Education, City of Los Angeles* court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order by the District’s Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

Charter School has set forth below its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 70:30 or 60:40 ratio. (*Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)*). The written plan lists specific dates and locations of recruitment activities that Charter School will undertake in order to achieve the District’s Racial and Ethnic Balance goal. Charter School shall monitor the implementation and outcomes of the initial plan, and modify it as necessary throughout the term of the Charter to achieve the District’s goal. Upon request, Charter School shall provide the District with a copy of its current written plan.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. The District may receive the Targeted Instructional Improvement Block Grant (TIIBG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIBG funding, where available, and cannot guarantee the availability of this funding.

## **Element 8 – Admission Requirements**

*“Admission requirements, if applicable.” (Ed. Code § 47605(b)(5)(H).)*

### **DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES**

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

### **HOMELESS AND FOSTER YOUTH**

Charter School shall adhere to the provisions of the federal McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Charter School is

open to enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment.

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

## **NON-DISCRIMINATION**

Charter School shall not require a parent/legal guardian/student to provide information regarding a student's disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

Charter School shall not request or require submission of a student's IEP, Section 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

## **Element 9 – Annual Financial Audits**

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

Charter School shall provide for an annual audit that shall be conducted in compliance with applicable state and federal laws, including but not limited to the requirements of Education Code sections 47605(b)(5)(I) and 41020 as they may be amended from time to time. Charter School shall ensure compliance with the requirements of section 41020(f)(2), which makes it unlawful, absent an Education Audits Appeal Panel waiver, for a public accounting firm to provide audit services to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous years.

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

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

- e. Unaudited Actuals – July following the end of the fiscal year
- f. Audited Actuals – December 15 following the end of the fiscal year
- g. Classification Report – monthly according to Charter School’s Calendar
- h. Statistical Report – monthly according to Charter School’s Calendar of Reports

In addition:

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

## **Element 10 – Suspension and Expulsion Procedures**

*“The procedures by which pupils can be suspended or expelled.” (Ed. Code § 47605(b)(5)(J).)*

### **GENERAL PROVISIONS**

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about and complies with the District’s Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

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

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

### **STUDENTS WITH DISABILITIES**

Charter School shall establish and implement policies and procedures to ensure full compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, pending the completion of the expulsion process, Charter School shall identify and provide special



education programs and services at an appropriate interim educational placement determined in coordination with the LAUSD Division of Special Education.

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

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

### **NOTIFICATION OF THE DISTRICT**

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

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

Notwithstanding and apart from the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student’s district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code section 49068 (a) and (b).

## **OUTCOME DATA**

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

## **REHABILITATION PLANS**

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School's governing board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

## **READMISSION**

Charter School's governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School's governing board shall readmit the pupil, unless Charter School's governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil's parent/guardian within a reasonable time.

## **REINSTATEMENT**

Charter School's governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

## **GUN-FREE SCHOOLS ACT**

Charter School shall comply with the federal Gun-Free Schools Act.

## **Element 11 – Employee Retirement Systems**

*“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” (Ed. Code § 47605(b)(5)(K).)*

Charter School shall comply in a timely manner with all applicable federal and state laws and regulations, as they may change from time to time, including but not limited to Internal Revenue Code section 414(d) and related regulations, governing Charter School’s participation in, and/or coverage of its staff members by, the State Teachers’ Retirement System (CalSTRS), the Public Employees’ Retirement System (CalPERS), and/or federal social security.

If Charter School participates in, or otherwise covers its staff members by enrolling or continuing their enrollment in, a “government plan” governed by section 414(d) (e.g., CalPERS), upon dissolution or final liquidation of Charter School, and/or its nonprofit public benefit corporation, notwithstanding any provision in Element 15 to the contrary, Charter School shall distribute its net assets in accordance with section 414(d), related regulations, and the government plan’s requirements.

If Charter School participates in CalSTRS and/or CalPERS, Charter School shall continue such participation for the duration of Charter School’s existence under the same CDS code, if mandated by applicable legal and retirement plan requirements.

## **Element 12 – Public School Attendance Alternatives**

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

Pupils of Charter School do not have or gain any right to admission in a particular school of any school district, or program of any school district, as a consequence of applying to or enrolling in Charter School, except to the extent that such a right is extended by the school district.

A pupil who chooses not to attend Charter School may attend a public school within the pupil’s school district of residence in accordance with applicable law and that school district’s policies and procedures. The pupil alternatively may seek to enroll in another charter school in accordance with applicable law and the terms of the school’s charter. If LAUSD is the pupil’s school district of residence, an eligible pupil may pursue an inter-district transfer, if available, in accordance with the admission, enrollment, and transfer policies and procedures of the District, as they may change from time to time.

## **Element 13 – Rights of District Employees**

*“The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” (Ed. Code § 47605(b)(5)(M).)*

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School

unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

## **Element 14 – Mandatory Dispute Resolution**

*“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” (Ed. Code § 47605(b)(5)(N).)*

### **GENERAL PROVISIONS**

Any claim, controversy or dispute between the District and Charter School arising out of or relating to this Charter, except for any claim, controversy or dispute related to the authorization (non-renewal, revision and/or revocation) of this Charter, (“Dispute”) shall be resolved pursuant to the terms of this Element 14.

Notwithstanding any other provision of law, each party shall bear and be solely responsible for all of its own attorneys’ fees, costs and expenses associated with any Dispute, including, but not limited to, any written/oral communication, meeting, Issues Conference, mediation, arbitration, administrative and/or civil action (including all levels of appeal), and no party shall be ordered to pay, or be awarded, any other party’s attorneys’ fees, costs or expenses in connection therewith, regardless of who may be deemed the prevailing party. Any fees, costs and expenses charged by a mediator or arbitrator (including all associated administration fees, costs and expenses) shall be shared equally by the parties regardless of the outcome or award. To that effect, any order or award of attorneys’ fees, costs and/or expenses, or mediator’s or arbitrator’s fees, costs or expenses (including any associated administration fees, costs and expenses), issued by a mediator, arbitrator, judicial officer (including all levels of appeal) or jury in any Dispute shall be deemed invalid as a matter of law and unenforceable by one party against the other party.

### **PROPOSITION 39 DISPUTES**

Any Dispute related to or arising out of Education Code §47614 and/or its implementing regulations set forth in California Code of Regulations, title 5, section 11969 *et seq.* (“Proposition 39”), shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and all supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise, all Written Notifications to the District and Charter School shall be addressed respectively as follows:

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

Director/Principal  
Fenton STEM Academy: Elementary Center for Science Technology Engineering and Mathematics  
8926 Sunland Blvd.  
Sun Valley, CA 91352

- 2) A written response (“Written Response”) shall be tendered to the other party within fifteen (15) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been resolved by mutual agreement from the Written Response, the parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.
- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, and conclude within forty (40) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 5) If the mediation is not successful, either party may then initiate a civil action. Venue for any civil action between the parties shall be the Los Angeles County Superior Court.

## **NON-PROPOSITION 39 DISPUTES**

Any Dispute not related to or arising out of Proposition 39 shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise all Written Notifications to the District and Charter School shall be addressed respectively as follows:

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

Director/Principal  
Fenton STEM Academy: Elementary Center for Science Technology Engineering and Mathematics  
8926 Sunland Blvd.  
Sun Valley, CA 91352

- 2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute has not been otherwise resolved by mutual agreement, the parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.

- 4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 5) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California.

## **Element 15 – Charter School Closure Procedures**

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

### **REVOCATION OF THE CHARTER**

The District may revoke the Charter pursuant to the provisions set forth in the Charter Schools Act of 1992, as they may be amended from time to time. The District may revoke the Charter of Charter School if the District finds, through a showing of substantial evidence, that Charter School did any of the following:

- Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the Charter.
- Charter School failed to meet or pursue any of the pupil outcomes identified in the Charter.
- Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Charter School violated any provision of law.

Prior to revocation, and in accordance with Education Code section 47607(d) and state regulations, the LAUSD Board of Education will notify Charter School in writing of the specific violation, and give Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution provisions set forth in this Charter.

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

## **CLOSURE ACTION**

The decision to close Charter School, by the governing board of Charter School must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of Education Code section 47607(i)) or non-renewed by the LAUSD Board of Education and Charter School has exhausted its revocation or non-renewal administrative appeal rights pursuant to Education Code sections 47605(j)(1) and 47607(f), or its administrative appeal rights have lapsed, or the charter school voluntarily closes at any stage of the administrative appeal process;; the governing board of Charter School votes to close Charter School; or the Charter lapses.

## **CLOSURE PROCEDURES**

The procedures for charter school closure set forth below are guided by *Education Code* sections 47604.32, 47605, and 47607 as well as *California Code of Regulations*, title 5, sections 11962 and 11962.1, and are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” posted on the California Department of Education website. All references to “Charter School” apply to Charter School, including its nonprofit corporation and governing board.

### **Designation of Responsible Person(s) and Funding of Closure**

Prior to or at the time of the taking of a Closure Action by either the governing board of Charter School or the LAUSD Board of Education, the governing board of Charter School shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how Charter School will fund, these activities.

### **Notification of Closure Action**

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The LAUSD Charter Schools Division (CSD). Charter School shall provide the CSD with written notice of (1) the person(s) designated to be responsible for conducting and overseeing all closure activities, and (2) the source, location, and management of the funding for such activities. If the Closure Action is an act of Charter School, Charter School shall provide the CSD with a copy of the governing board resolution or minutes that documents its Closure Action.
2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Charter School within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written parent notification to the CSD.
3. Los Angeles County Office of Education (LACOE). Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the



Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

4. The Special Education Local Plan Area (SELPA) in which Charter School participates. Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
5. The retirement systems in which Charter School's employees participate. Within fourteen (14) calendar days of the Closure Action, Charter School shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of these notifications and correspondence to the CSD.
6. The California Department of Education (CDE). Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.
7. Any school district that may be responsible for providing education services to the former students of Charter School. Charter School shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.
8. All Charter School employees and vendors within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written employee and vendor notification, with any attachments, to the CSD.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall also include:

1. A description of the circumstances of the closure

2. The location of student and personnel records

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of the student's cumulative record and other records, including but not limited to grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results
3. Information on student completion of college entrance requirements, for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The date and manner, which shall be no later than 30 days from the effective date of the closure of Charter School, by which Charter School shall provide employees with written verification of employment

Within 30 calendar days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of all such employee verification letters to the CSD.

### **Records Retention and Transfer**

Charter School shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Charter School records, including student records. These requirements include:

1. Charter School shall provide the District with all original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of Charter School. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.
2. Charter School's process for transferring copies of student records to receiving schools shall be in accordance with applicable law and LAUSD procedures for students moving from one school to another.

3. Charter School shall prepare and provide an electronic master list of all students to the Charter Schools Division in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the CSD in the form of a CD or otherwise in accordance with District procedures.
4. Charter School must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Charter School will coordinate with the CSD for the delivery and/or pickup of student records.
5. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, and Title I records (if applicable).
7. Charter School must provide to the CSD the name, title, and contact information of the person designated to maintain all Charter School personnel records after the closure. Personnel records to be transferred to and maintained by the designee must include any and all employee records, including but not limited to, records related to performance and grievance. Charter School must provide to the CSD and the designee a list of all active and inactive employees and their periods of service. Both Charter School and the designee, individually and separately, shall inform the CSD immediately upon the transfer of Charter School's employee records to the designee.
8. Charter School shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
9. Charter School shall provide to the responsible person(s) designated by the governing board of Charter School to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

### **Financial Close-Out**

After receiving notification of closure, the California Department of Education (CDE) will notify Charter School and the authorizing entity of any liabilities Charter School owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

Charter School shall ensure completion of an independent final audit within six months after the closure of Charter School that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to Charter School.

This audit may serve as Charter School's annual audit if it meets all of the requirements of the annual audit.

Charter School shall pay for the financial closeout audit of Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by Charter School will be the responsibility of Charter School and not LAUSD. Charter School understands and acknowledges that Charter School will cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which Charter School participates, and other categorical funds will be returned to the source of funds.

Charter School shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. These reports should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed Charter School with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

#### **Disposition of Liabilities and Assets**

The closeout audit must identify the disposition of all liabilities of Charter School. Charter School closure procedures must also ensure appropriate disposal, in accordance with the District Required Language provisions in Element 11 of this Charter, Charter School's governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after

all liabilities of Charter School have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. Charter School, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Charter School by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and Charter School shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Charter School is operated as or by a nonprofit corporation, and if the corporation does not have any functions other than operation of Charter School, the corporation shall be dissolved according to its bylaws.

Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

Charter School's governing board shall adopt a plan for wind-up of Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Charter School shall provide LAUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which Charter School will make the payments.

Prior to final close-out, Charter School shall complete all actions required by applicable law, including but not limited to the following:

- a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.
- b. Make final federal tax payments (employee taxes, etc.)
- c. Complete and submit all required federal and state filings and notices to the State of California, the Internal Revenue Service, and the Department of the Treasury, including but not limited to final tax returns and forms (e.g., Form 990 and related Schedules).

This Element 15 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end Charter School's authorization to operate as a charter

school or cause Charter School to cease operation. Charter School agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 15 or any provision of this Element 15 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

## **Additional Provisions**

### **FACILITIES**

Charter School shall comply with all geographic and site limitations and related requirements set forth in Education Code sections 47605.1, 47602(a), and 47605(a).

#### **District-Owned Facilities**

If Charter School is using District facilities as of the date of the submission of this charter petition or takes occupancy of District facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by the District for the use of the District facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any District facilities, Charter School shall execute an agreement provided by the District for the use of the District facilities prior to occupancy and commencing use. Charter School shall implement and otherwise comply with the terms of any and all applicable facilities use agreements between Charter School and the District.

The circumstances of Charter School's occupancy of District facilities may change over time such as, but not limited to, enrollment, programs, and the conditions of facilities, and the District has a vested interest in having an agreement that is appropriate for the situation.

For a Sole Occupant Agreement or any other use agreement that is not a Proposition 39 Single Year Co-location Use Agreement or a lease issued through the Notice of Intent and bid process, the term may be co-terminous with the approved Charter, as permitted by law. Charter School and the District shall negotiate any modifications of the agreement with the goal of such amendment or new agreement being considered by the LAUSD Board of Education with the renewal of the charter petition. If Charter School and the District cannot execute an agreement in time for such to be considered by the Board of Education with the renewal of the charter petition, the approval of the renewal of the charter petition shall be conditioned upon Charter School and the District executing an amendment to the existing use agreement or a new agreement no later than May 1<sup>st</sup> 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 30<sup>th</sup> of said school year.

Charter School acknowledges and agrees that occupancy and use of District facilities shall be in compliance with applicable laws and District policies for the operation and maintenance of District facilities and furnishings and equipment. Charter School shall comply with all District health, safety, and emergency procedures and requirements and shall be subject to inspection by the District's Facilities Services Division, OEHS, and other District offices in the same manner as other LAUSD campuses. All District facilities (i.e., schools) will remain subject to those laws applicable to public schools.

In the event of an emergency, all District facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations, which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of District facilities with other District user groups, Charter School agrees that it will participate in and observe all District safety policies (e.g., emergency chain of information and participation in safety drills).

The use agreements provided by the District for District facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- Use: Charter School will be restricted to using the District facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the Charter and incidental related uses. Separate and apart from its right as authorizer to observe and inspect any part of the charter school at any time pursuant to Education Code 47607(a)(1), the District shall have and reserves the right to inspect District facilities upon reasonable notice to Charter School.
- Furnishings and Equipment: The District shall retain ownership of any furnishings and equipment, including technology, ("F&E") that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.
- Leasing; Licensing: Use of the District facilities by any person or entity other than Charter School shall be administered by the District. The parties may agree to an alternative arrangement in the use agreement.
- Programs, Services, and Activities Outside Instructional Program; Third Party Vendors
  - (i) Any program, service, or activity provided outside the instructional program shall be subject to the terms and provisions of the use agreement, and, additionally, may require a license, permit, or additional agreement issued by the District. The term "instructional program" is defined, per Education Code section 47612 and 5 CCR section 11960, as those required educational activities that generate funding based on "average daily attendance" and includes those extracurricular programs, services, and/or activities that students are required to participate in and do not require the payment of any consideration or fee.
  - (ii) Any program, service, or activity requiring the payment of any consideration or fee or provided by a third party vendor (defined as any person or entity other than Charter School), whether paid or volunteer and regardless of whether such may be within the instructional program, shall be subject to the terms and provisions of the

use agreement and such third party vendor shall be required to obtain a license, permit, or additional agreement from the District.

- Minimum Payments or Charges to be Paid to District Arising From the Facilities:

- (i) Pro Rata Share: The District shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter Schools Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and

- (ii) Taxes; Assessments: Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School's legal or equitable interest created by the use agreement.

- Maintenance & Operations Services: In the event the District agrees to allow Charter School to perform any of the operation and maintenance services, the District shall have the right to inspect the District facilities, and the costs incurred in such inspection shall be paid by Charter School.

- (i) Co-Location: If Charter School is co-locating or sharing the District facilities with another user, the District shall provide the operations and maintenance services for the District facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

- (ii) Sole Occupant: If Charter School is a sole occupant of District facilities, the District shall allow Charter School, at its sole cost and expense, to provide some operations and maintenance services for the District facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, the District shall provide all services for regulatory inspections which as the owner of the real property it is required to submit, and deferred maintenance, and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

- Real Property Insurance: Prior to occupancy, Charter School shall satisfy requirements to participate in LAUSD's property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall **not** have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.



## **Non-District-Owned Facilities**

**Occupancy and Use of the Site:** Prior to occupancy or use of any school site or facility, Charter School shall provide the CSD with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency that allows Charter School to use and occupy the site as a charter school. Charter School shall not exceed the operating capacity of the site and shall operate within any limitations or requirements provided by the Certificate of Occupancy and any applicable permit. Charter School may not open or operate without providing a copy of an appropriate Certificate of Occupancy to the CSD. If Charter School intends to move or expand to another facility during the term of this Charter, Charter School shall adhere to any and all District policies and procedures regarding charter material revision and non-material amendment. Prior to occupancy or use of any such additional or changed school site, Charter School shall provide an appropriate Certificate of Occupancy to the CSD for such facility. Notwithstanding any language to the contrary in this Charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

**Facility Compliance:** Prior to occupancy or use of any non-District-owned school site and/or facility, Charter School shall ensure that the site and/or facility complies with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which Charter School is to be located, federal and state accessibility requirements (including the Americans with Disabilities Act (ADA) and Section 504), and all other applicable fire, health, and structural safety and access requirements. This requirement shall also apply to the construction, reconstruction, alteration of or addition to the facility. Charter School shall resolve in a timely manner any and all corrective actions, orders to comply, and notices issued by any authorized building and safety agency. Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Charter School shall maintain on file readily accessible records that document facilities compliance and shall promptly provide such documentation to the CSD upon request.

**Pest Management:** Charter School shall comply with the Healthy Schools Act, Education Code section 17608, which details pest management requirements for schools.

**Asbestos Management:** Charter School shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

## **INSURANCE**

### **Insurance Requirements**

No coverage shall be provided to Charter School by the District under any of the District's self-insured programs or commercial insurance policies. Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] or the equivalent provided through a California Joint Powers Authority self-insurance program to protect Charter School from claims which may arise from its

operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners, and/or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a student transportation service. If Charter School provides student transportation services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
4. Crime Insurance or Fidelity Bond coverage shall be maintained by Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment, or other assets. Minimum amount of coverage shall be \$1,000,000 per occurrence/\$1,000,000 aggregate, with deductible that is acceptable to the Los Angeles Unified School District.
5. Cyber Liability insurance coverage with minimum limits of \$500,000 per occurrence and \$500,000 general aggregate.
6. Professional Educators Errors and Omissions liability coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
7. Sexual Molestation and Abuse coverage with minimum limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.

8. Employment Practices Legal Liability coverage with limits of \$5,000,000 per occurrence and \$5,000,000 general aggregate.
9. Excess/Umbrella Liability insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies and alternative methods of coverage as approved by the District. *The policy shall be endorsed to name the Los Angeles Unified School District and Its Board of Education as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.*

### **Evidence of Insurance**

Charter School shall furnish to the District's Division of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28<sup>th</sup> Floor, Los Angeles CA 90017 within 30 calendar days of all new policies, inception, renewals or changes, certificates, or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

*"Charter school shall be required to provide LAUSD with 30 days prior written notice by certified mail, return receipt requested, if the insurance afforded by this policy shall be suspended, cancelled, reduced in coverage limits or non-renewed."*

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.

Should Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to Charter School, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the District and its purchase shall be the responsibility of Charter School.

### **Hold Harmless/Indemnification Provision**

To the fullest extent permitted by law, Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever, arising out of, or relating to, this Charter agreement. Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by Charter School and/or its officers, directors, employees or volunteers.

Moreover, Charter School agrees to indemnify, defend and hold harmless “the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers, for any contractual liability resulting from third party contracts with Charter School’s vendors, contractors, partners or sponsors.

## **FISCAL MATTERS**

### **District Oversight Costs**

The District may charge for the actual costs of oversight of Charter School not to exceed 1% of Charter School’s revenue, or the District may charge for the actual costs of oversight of Charter School not to exceed 3% if Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum oversight fee allowed under the law as it may change from time to time. The oversight fee provided herein is separate and distinct from the charges arising under charter school facilities use agreements.

### **Cash Reserves**

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, title 5 of the California Code of Regulations.

### **Third Party Contracts**

Charter School shall ensure that all third party contracts, whether oral or written, for supplies, equipment, goods and/or services, for the direct or indirect benefit of, or otherwise related to the operation of, Charter School, require compliance with and otherwise conform to all applicable local, state, and federal policies, regulations, laws, and guidelines, including but not limited to licensing and permit requirements as well as requirements related to protection of health and safety.

### **Special Education Revenue Adjustment/Payment for Services**

In the event that Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State’s adjustment to allocation of special education revenues from Charter School, Charter School authorizes the District to deduct any and all of the in lieu property taxes that Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.

### **Student Body Funds**

Charter School shall supervise and manage any and all student body funds in a manner consistent with the provisions of Education Code sections 48930-48938. Charter School shall include and address student body funds in its financial reports, and ensure that such funds are included and addressed in Charter School’s annual audit as a stand-alone item.

### **Audit and Inspection of Records**

Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining its charter authorization:

- Charter School is subject to District oversight.
- The District's statutory oversight responsibility continues throughout the life of the Charter and requires that the District, among other things, monitors the fiscal condition of Charter School.
- The District is authorized to revoke this Charter for, among other reasons, the failure of Charter School to meet generally accepted accounting principles or if Charter School engages in fiscal mismanagement.

Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the District Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter agreement,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of Charter School's financial information,
- Charter School's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- Charter School's enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hours notice.

### **Fiscal Policies and Procedures**

Charter School shall establish, maintain, and implement sound fiscal policies and procedures, including but not limited to internal controls governing all financial and business-related activities.

### **Apportionment Eligibility for Students Over 19 Years of Age**

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. (Ed. Code § 47612(b).)

**Local Control and Accountability Plan**

In accordance with California Education Code sections 47604.33 and 47606.5, Charter School shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)” of section 47606.5(a). These expenditures shall be “classified using the California School Accounting Manual pursuant to Section 41010.” (Ed. Code § 47606.5(b).)