

# ACLCLC

ALAMEDA  
COMMUNITY  
LEARNING  
CENTER



Charter Renewal Petition for

**Community Learning Center Schools, Inc. (CLCS)**  
a Non-profit Public Benefit Corporation

to

**Alameda Unified School District**

for the Operation of the

**Alameda Community Learning Center (ACLCLC)**

**September 24, 2019**



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## Introduction

This document is a petition for the Alameda Unified School District Board of Education to consider and approve this charter renewal pursuant to the timelines and processes outlined in the Charter Schools Act.

The document and petition requests that the Alameda Unified School District Board of Education schedule and conduct the required hearings and make a granting or denial decision within the 30- and 60- day timeline allowed by law.

### California Charter Schools Act

In accordance with California Charter Schools Act, the Community Learning Center Schools, Inc., (hereafter referred to as “CLCS”), a 501c(3) tax exempt non-profit public benefit corporation, petitions the Alameda Unified School District Board of Education (hereafter referred to as “AUSD”<sup>1</sup> or the “District”) to grant a charter renewal for the Alameda Community Learning Center (hereafter referred to as “ACLC”).

The Charter Schools Act of 1992 states that:

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

- (a) Improve pupil learning.*
  - (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achievement.*
  - (c) Encourage the use of different and innovative teaching methods.*
  - (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.*
  - (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.*
  - (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.*
  - (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.*
- Education Code § 47601(a)-(g).*

In considering this petition, AUSD is to be guided by this intent:

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<sup>1</sup> Throughout, the term “AUSD ” refers to the AUSD Board of Education unless specifically noted.

*In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged. A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:*

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.*
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.*
- (3) The petition does not contain the number of signatures required by subdivision (a).*
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).*
- (5) The petition does not contain reasonably comprehensive descriptions of all of the 15 required elements  
Education Code § 47605(b).*

The elements of the charter petition to be reasonably comprehensively described are individually stated and discussed below.

In the year 2000, the Legislature limited the bases for denial by amendment:

*A petition for the establishment of a charter school shall not be denied based on the actual or potential costs of serving individuals with exceptional needs, as that term is defined pursuant to Section 56026.  
Education Code § 47605.7(a).*

**Why does Community Learning Center Schools, Inc, seek to renew its ACLC 6-12 charter school in Alameda?**

CLCS seeks to renew the ACLC charter in Alameda for all of the reasons outlined in the Charter Schools Act's intent:

*(a) Improve pupil learning:* ACLC has a proven track record of 18 years of improving pupil learning.

*(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving:* The ACLC educational

model has consistently increased learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

*(c) Encourage the use of different and innovative teaching methods:* ACLC will continue to use the innovative teaching methods that ACLC has developed over the last 18 years (13 years as a charter school, and 5 years as an AUSD special program), which has earned ACLC accolades including the coveted “California Distinguished School” award, the first such award granted to a charter school in Alameda.

*(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site:* The school will use the “Facilitator Empowerment” model pioneered at ACLC of involving teachers at every level of the decision making and creates opportunities for teachers to be responsible for the learning program at the school site.

*(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system:* The school will continue to create expanded choices in the type of educational opportunities that are available within the AUSD public school system.

*(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems:* Being a charter school, ACLC is held accountable to the public via its chartering agency using a performance-based accountability system.

*(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools:* The school will continue to provide vigorous competition within the public school system to stimulate improvements in all public schools.

## **AFFIRMATIONS/ASSURANCES**

If awarded a charter renewal, ACLC operated by Community Learning Center Schools:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code § 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code § 47605(c)(1)]
- Will not discourage a pupil from enrolling in the charter school. Cal. Educ. Code § 47605(d)(4)(A).
- Will not request or require student records before enrollment. Cal. Educ. Code § 47605(d)(4)(B).
- Will not encourage students to transfer to another school. Cal. Educ. Code § 47605(d)(4)(C).

- Will post State Board's notice of pupil's rights on school website, and provide to parents at the times prescribed in Cal. Educ. Code § 47605(d)(4)(D).
- Shall be deemed the exclusive public school employer of the employees of *ACLC* for purposes of the Educational Employment Relations Act. [Ref. Education Code § 47605 (b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code § 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code § 47605(d)(1)]
- Shall admit all students who wish to attend *ACLC*, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random lottery process. Except as required by Education Code § 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code § 47605(d)(2)(B), as described in Element H: Admissions Requirements. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code § 47605(d)(2)(C). [Ref. Education Code § 47605(d)(2)(A)-(B)]
- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code § 47605(d)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations § 11967.5.1(f)(5)(C)]
- Shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code § 47605(1)]
- Shall at all times maintain all necessary and appropriate insurance coverage.

- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code § 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code § 47605(d)(3)]
- Will follow any and all other federal, state, and local laws and regulations that apply to ACLC including but not limited to:
  - ACLC shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
  - ACLC shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
  - ACLC shall comply with any jurisdictional limitations to locations of its facilities.
  - ACLC shall comply with all laws establishing the minimum and maximum age for public school enrollment.
  - ACLC shall comply with all applicable portions of the [Every Student Succeeds Act](#).
  - ACLC shall comply with the Public Records Act.
  - ACLC shall comply with the Family Educational Rights and Privacy Act.
  - ACLC shall comply with the Ralph M. Brown Act.
  - ACLC shall meet or exceed the legally required minimum of school days.

## **ELEMENT A: EDUCATIONAL PROGRAM**

*Governing Law: “A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21<sup>st</sup> 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.” Education Code § 47605(b)(5)(A)(i).*

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

CLCS, a Nonprofit Public Benefit Corporation, (prior to 2006, the name of the corporation was Alameda Community Learning Center) has operated ACLC, a 6-12 program located on the same campus as its sister school, Nea Community Learning Center, in the City of Alameda. For the 2017-18 school year, ACLC received all blue and green color rankings on the California School Dashboard and has met all measured standards. ACLC has demonstrated consistency in its educational program and student learning outcomes for the life of its charter. In 2007, ACLC was awarded the “California Distinguished School” award, the first charter school in Alameda County to do so. ACLC is accredited by the Western Association of Schools and Colleges (“WASC”) through 2023.

This charter renewal petitions is for the continued operation of a 6-12 school through 2024. ACLC currently serves 351 Learners and will serve to its agreed upon capacity based on the Facilities Use Agreement with Alameda Unified School District (AUSD). ACLC has, and will continue to, identify students who are interested in an alternative educational experience that encourages educational equity, experiential and collaborative learning, and a technology-rich environment to educate. ACLC serves Alameda residents and residents of neighboring communities. An enrollment preference is given to AUSD residents as is required by law. The school seeks a diverse population of Learners that roughly represents the ethnic and socioeconomic diversity of AUSD. The program enrolls Learners from all geographic areas of Alameda and surrounding communities in grades 6-12.

### **The ACLC Mission**

*ACLC is an educational model that empowers all youth to take ownership of their educational experience, to celebrate their diverse community, and to actively participate as members in a democratic society.*

### **ACLC’s Educational Model & Instructional Delivery**

ACLCLC is an educational model that seeks to create a dynamic learning community by embodying the best practices of teaching and learning in a noncompetitive manner that supports individuals to actively discover their own potential, recognize their own value and worth, and practice responsibility to the community. ACLCLC believes in the importance of a participatory governance model to empower Learners, parents, and Facilitators to create a great educational program. ACLCLC is dedicated to a self-directed project-based learning model to achieve its educational goals. To this end, ACLCLC provides a safe, connected, and flexible learning community. The program places emphasis on:

- 1) developing reading, writing, and speaking skills to enhance understanding and effective communication;
- 2) using the tools of math and science to become aware of how the universe works; and
- 3) developing an understanding of how government, economics and the social sciences impact individual and global interactions. Based on their knowledge and developmental level, Learners design their own goals and life plans including responsibility to others and active citizenship.

We embrace the idea that this is an on-going process of continual change and improvement.

We believe that an approach that empowers Learners, provides them individualized support (from adults, older Learners, and peers), and sets the highest academic, social, and ethical expectations is by far more likely to achieve this goal than traditional educational practice. We provide all Learners with a rigorous, standards-based curriculum that promotes the practice and mastery of California state standards by offering self-directed, project-based learning opportunities that address multiple interdisciplinary standards.

Teachers are referred to as *Facilitators* and students are referred to as *Learners*. We believe that this terminology change is essential to creating motivated Learners who will acquire the skills for becoming lifelong Learners. Changing the terminology is also essential to creating empowered Learners who understand the need to take ownership of their educational experience. All community members will be on a first name basis, in respect for the equity of their various roles within the community.

ACLCLC will continue to provide a rigorous, relevant, culturally sensitive, accessible education program for all students (including high and low achievers, English Learners, and students with disabilities). The program utilizes a standards-based curriculum, instructional strategies, materials, and technology aimed at the targeted population that is founded on research-based educational practices and is compliant with all laws and regulations applicable to California's charter schools. ACLCLC will continue to use the researched based, proven instructional model which has been in existence for 18 years whose excellence was rewarded by the State of California when ACLCLC became Alameda County's first California Distinguished Charter School. (A state team visited the school and evaluated its educational practices for two days in the spring of 2006 and confirmed its educational practices.) This same educational program has achieved all blue and green rankings, demonstrating that its curriculum is aligned with California standards and produces results.

### **Modes and Methods of Instruction**

ACLCL aligns its courses to meet all California course and grade level standards. ACLCL uses standards-aligned course descriptions for grades 6-12. (See 6-12 ACLCL Curriculum Guide, an additional document that is submitted along with the charter petition for samples.)

At ACLCL, Learners are prepared to be successful citizens for the 21<sup>st</sup> Century by becoming self-motivated, competent and self-directed lifelong Learners. They do this by spending years immersed in the “Community Learning Center” educational model that has produced such excellent results at ACLCL.

ACLCL has developed its educational strategies over the past nineteen years. During this period there has been a consistent vision and evolving practice of that vision. The vision is to transform the learning environment from a teacher-directed system to a self-directed learning environment in which teachers are “Facilitators and Learners” and students are “Learners and Facilitators.” In our minds, these are much more than buzz words.

In looking at the latest research in brain development, management, and education, several salient tenets emerge:

- Human beings are designed to learn. Educational best practices support and nurture this innate love of learning.
- Stakeholder voice is critical to the self-renewing organization, whether it is a company or a school. Unless Learners understand that their voice is honored and their ideas and feelings valued, educational renewal will not occur.
- Interaction is the basis of learning from the earliest periods of child development through the most sophisticated, technological workplaces.
- Ownership of learning must reside with the Learner, not the teacher. Only when the Learner eagerly reaches forward for knowledge, insight, and wisdom does real learning occur.
- Collaboration and teamwork is the environment of the successful organizational culture.
- Technology is the toolkit of the information age. To be literate in the 21<sup>st</sup> Century Learners must have access to and be proficient in the use of state-of-the-art technology.
- In order to pursue active learning, Learners must have the flexibility to work as teams, move outside the “box” of the school facility (both physically and electronically), and engage in inquiry that is both “free” and subjected to critical evaluation by peers and adults who are highly proficient in their fields.
- Multi-age grouping supports a Learner’s knowledge acquisition through natural scaffolding, allowing them to move quickly in areas of talent, and more slowly and with more individual support in areas that are more difficult.
- Learning is made relevant and engages the Learner through purposeful work.

This educational model has been in action with a group of Learners in grades 6-12 at the current ACLCL for nineteen years. Visitors to ACLCL start by entering the community room, an essential component of our educational program. They see 80-100 Learners (30% of Learners in the school) of mixed ages working either independently or in teams during their scheduled project time within the school day. In this technology rich space with over 60 Internet-accessible

individual computers, self-directed Learners perform research for projects, access online language programs and learn foreign languages (via the Rosetta Stone software program), improve their math skills with the Carnegie online math program, communicate with Facilitators and other Learners via email, write essays and research papers, use spreadsheets to analyze data, and create electronic music and digital art and video. These learning activities happen within a modern workplace setting where the Learners are free to move about and interact with each other and Facilitators in a very personal way. All Learners and Facilitators are on a first name basis and everyone in the school knows everyone else. Visitors also see Facilitators and paraprofessionals tutoring individuals and groups of Learners, as well as many small Learner study groups where Learners teach each other and work on team projects for their seminars. Learners might be working on building roller coasters for a physics seminar, creating element brochures for a chemistry class, creating power point presentations for a social studies class, or word processing English essays.

Beyond the community room, the school's six classrooms are home to our academic seminars. In the 6-12 program, Learners spend anywhere from 60-80% of their school day in seminars depending upon their chosen curriculum. The rest of their day is spent on project time in the community room. Learners receive individual grades in these seminars that are recorded on their transcripts just like traditional schools. Seminars are offered in courses required for graduation – including science, mathematics, language arts, foreign language, and social studies.

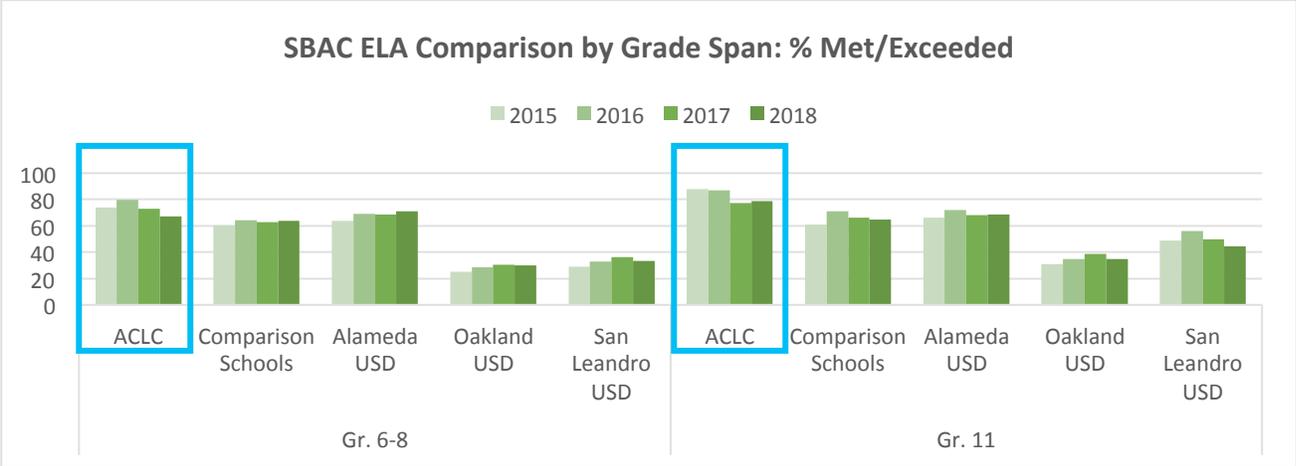
- In the science classrooms, Facilitators deliver direct instruction on the science curriculum, oversee traditional science laboratory activities, or prepare Learners for a group or individual project to be done during their project time.
- In our math seminars, Facilitators use a combination of direct instruction, group projects and individual skill building using computers.
- In our humanities seminars, Facilitators give writing instruction and Learners discuss the books they are reading.
- Social studies seminars involve Learners giving presentations about history and current events.
- In our digital video studio, Learners create visual art and electronic music. We also offer a traditional art seminar, where Facilitators and skilled older Learners work with Learners to explore painting and drawing.
- In another classroom, we offer foreign language instruction.
- In our leadership class, Learners debate and propose solutions to various school issues. The leadership class is charged with creating community within our school, organizing and maintaining the community space, and organizing community events. The leadership class is run in a very democratic tradition.
- An element of ACLC most visitors find interesting is our “Judicial Committee,” where Learners (under the direction of a Facilitator) review rules violations by Learners and assign disciplinary consequences.

### **ACLC's Student Achievement Overview Since Renewal**

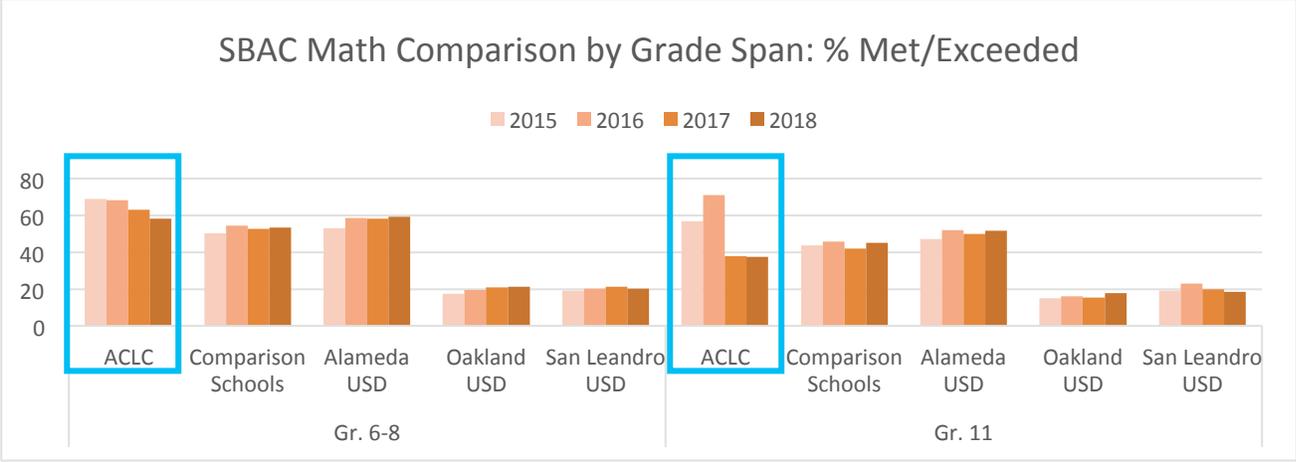
ACLC has performed very well on the Smarter Balanced tests compared to demographically similar schools in Alameda and Oakland Unified and neighboring districts. ACLC has a broad

comparison set because it spans both middle and high school grades (6-12) and it draws students from multiple school districts, with two-thirds coming from Alameda Unified, 20% from Oakland Unified, and 7% from San Leandro.

In English Language Arts (ELA), ACLC has outperformed all comparison sets for both middle school and high school grades. Although performance has dipped modestly in the last two years, ACLC still outperformed its comparison schools in 2018, with 67% of 6<sup>th</sup>-8<sup>th</sup> graders meeting or exceeding the standard (compared to 64% at comparison schools) and 79% of 11<sup>th</sup> graders meeting or exceeding the standard (compared to 65%).

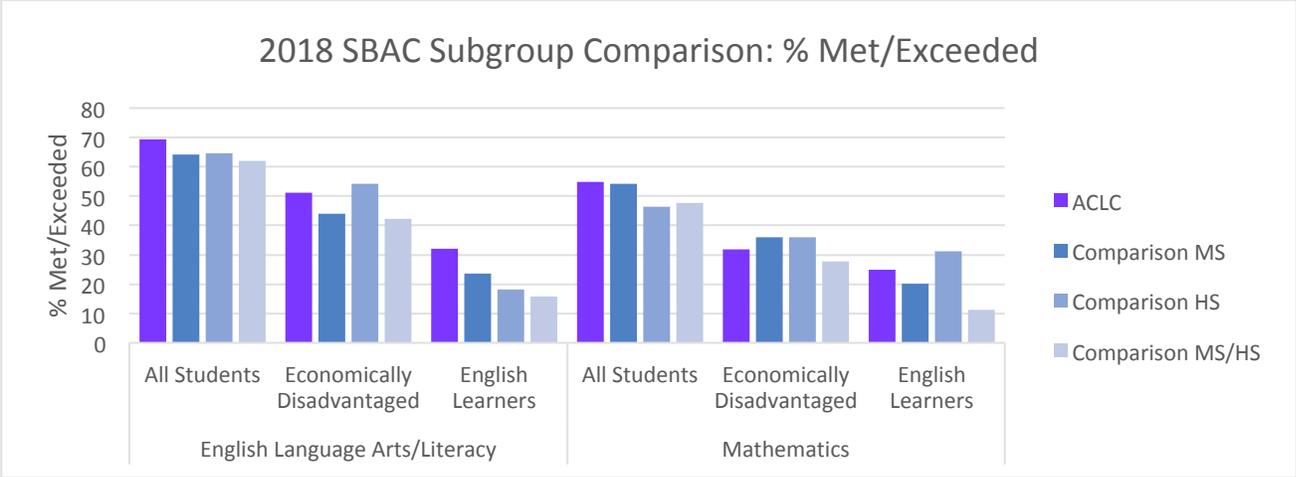


The Math performance of ACLC middle schoolers also surpasses that of the comparison sets. ACLC’s four-year average for grades 6-8 is 65% meeting or exceeding the standard, compared to only 53% for their comparison schools. Math performance in 11<sup>th</sup> grade has fluctuated over the last four years, and is an area of focus for ACLC, but its four-year average (53%) also exceeds that of its comparison schools (44%).

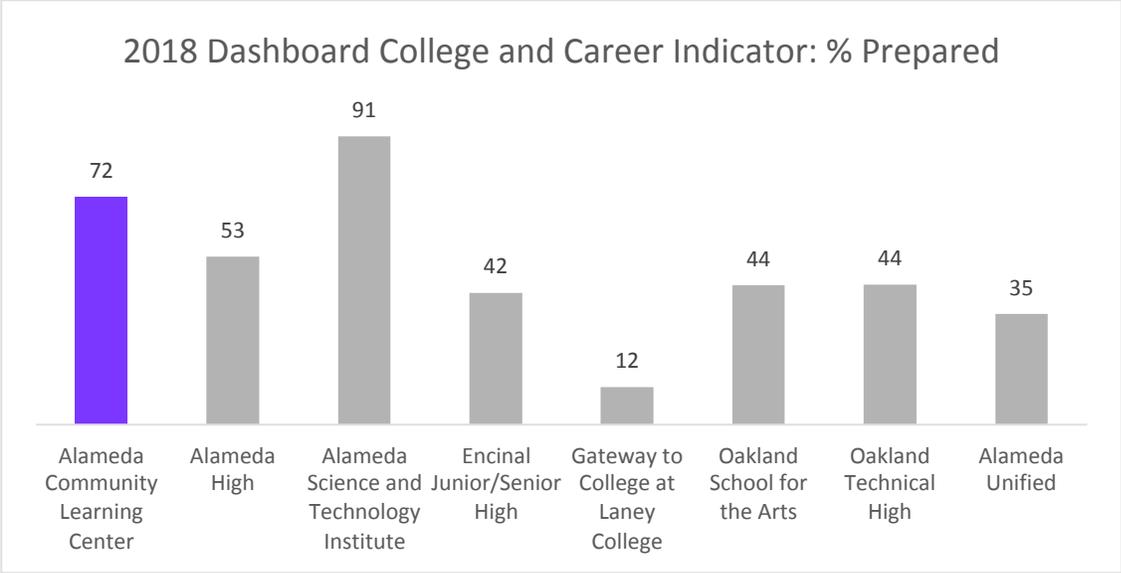


ACLC subgroups have also performed well compared to demographically similar middle and high schools in Alameda and Oakland Unified. In 2018, ACLC’s economically disadvantaged students outperformed the comparison middle and 6-12 schools in ELA and English learners

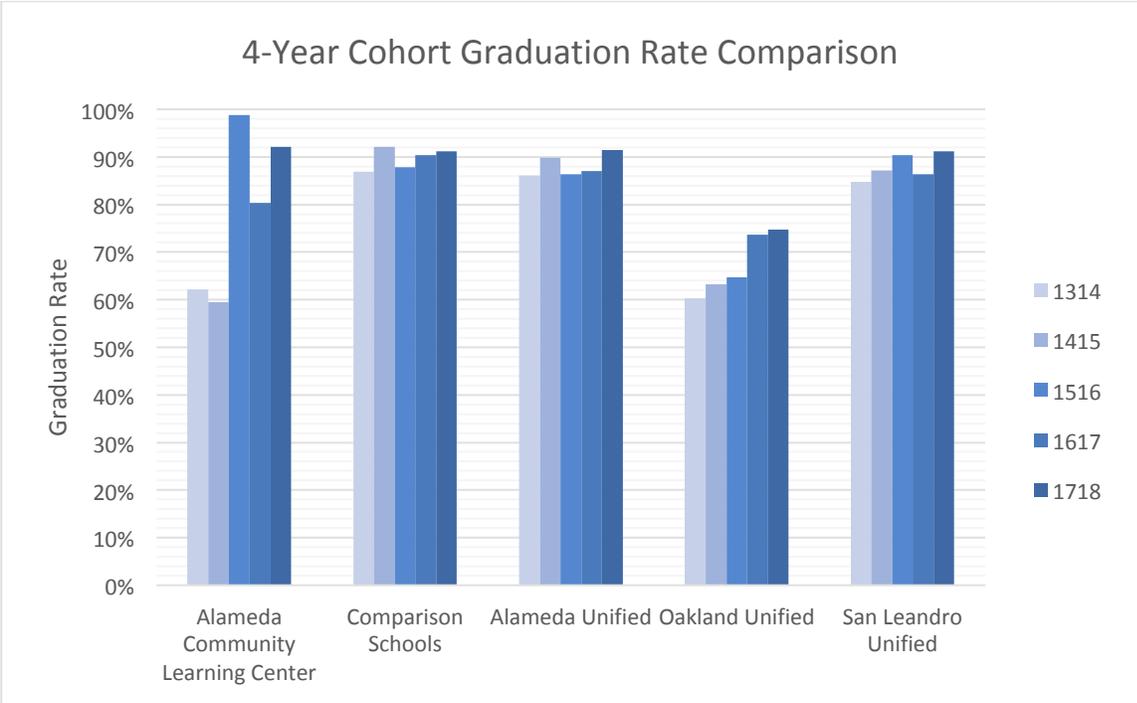
surpassed comparison middle, high and 6-12 schools by 8 to 16 percentage points. English learners also surpassed the comparison middle and 6-12 schools in math.



Since ACLC spans grades six through twelve, high school measures of performance beyond state tests are also a focus. These include the college and career indicator on the CA School Dashboard and the four-year cohort graduation rate. In 2018, 72% of graduating seniors were considered prepared for college and career. Only one school out of the seven demographically similar comparison high schools in Alameda or Oakland Unified exceeded ACLC on the percentage of students deemed prepared for college and career.

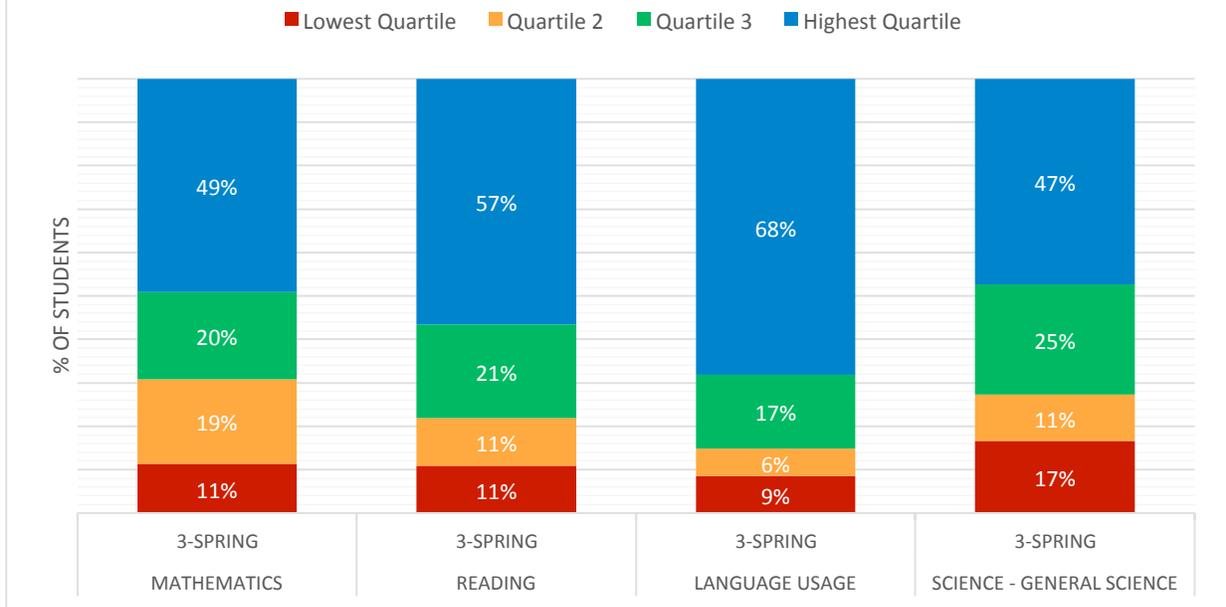


ACLC has also significantly increased its four-year cohort graduation rate over the last five years, from 62% in 2013-14 to 92% in 2017-18. In 2017-18, ACLC’s graduation rate of 92% was higher than all comparison sets.

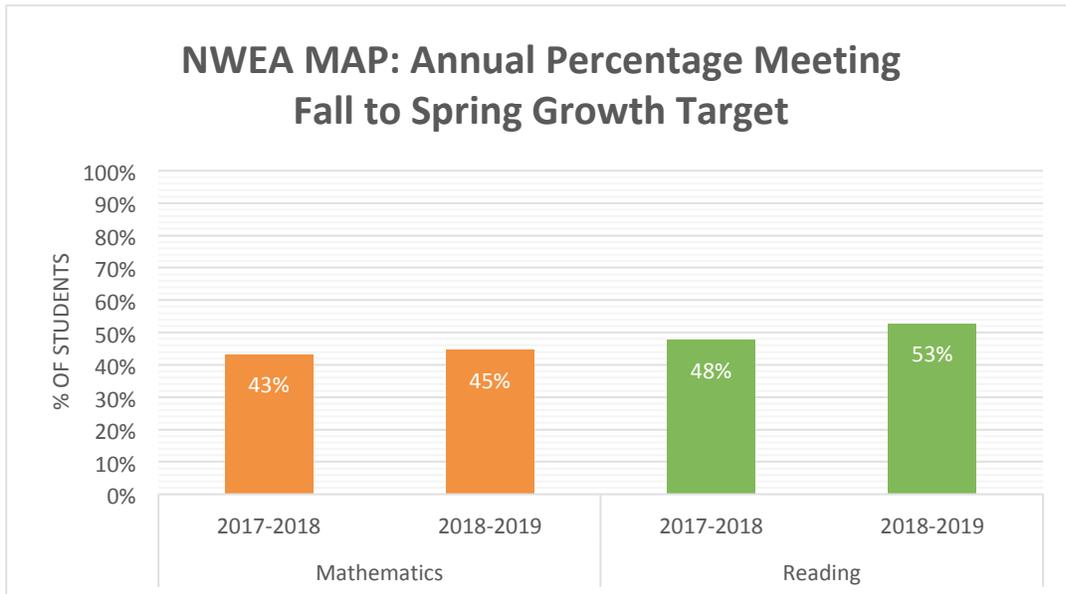


In addition to state measures of progress, ACLC implemented NWEA Measures of Academic Progress (MAP) in 2017-18, a norm-referenced test for ongoing growth monitoring throughout the school year. All grade levels are MAP tested three times a year in math, and select grade levels are tested two to three times a year in reading, language usage and general science. Across subject areas, the majority of students are performing at or above the 50<sup>th</sup> percentile on national norms – 69% of students in math, 78% in reading, 85% in language usage and 72% in science.

## SPRING 2019 NWEA MAP: PERCENT OF STUDENTS BY QUARTILE

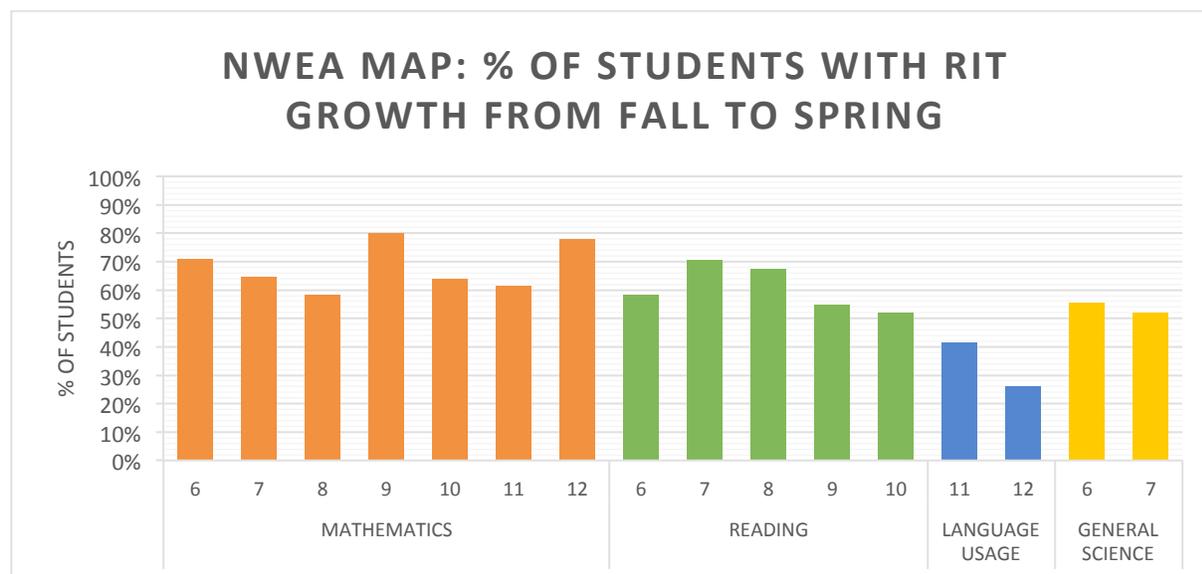


NWEA MAP is an adaptive test that sets growth goals for students based on their starting level. ACLC has seen an increase in the percentage of students meeting or exceeding their annual growth targets in math and reading, and we hope to continue that growth each year.



Since not all subjects and grade levels receive a growth target, ACLC also reviews the percentage of students making scale score (RIT) growth from fall to spring in each subject area.

On average in 2018-19, 59% of students improved their RIT score from fall to spring across subjects, but a larger percentage of students showed growth in math (66%) and reading (61%).



ACLC will continue to strive towards improving student performance in all subjects and grade levels by targeting assistance throughout the school year. Our focus on data-driven instruction will support ACLC in its efforts to continue to outperform comparison schools on state measures.

This 6-12 school system has been in place and working successfully for over nineteen years in our current ACLC program.

### Curriculum Vision

Our curriculum vision for the charter is the same vision that has persisted throughout the last 300 years of U.S. education. ACLC teaches the Basic Academic Skills in reading, writing, math, science, history, civics, and geography. The school also teaches critical thinking and problem solving, social skills, citizenship, physical health, emotional health, the arts and literature. So what makes ACLC different from any other school within the district?

ACLC provides a **balanced curriculum** - not only concerned with *what* we teach, but *how* we teach children.

- Powerful teaching is **responsive teaching** that is based on the learning styles and cultural backgrounds of the Learners.
- We use **evidence-based instruction**
  - Reading, writing, and thinking are demonstrated for the Learners so they have explicit models to follow
  - Learners have the independence to select reading material at their level and are able to engage in self-selected writing topics
  - We will employ the reading/writing connection to improve comprehension

- Learners will write for real audiences and purposes
- Reading and writing will not be limited as a subject, but used across content area subjects as well

ACLCL provides **broadened literacy instruction** to include not only conventional reading and writing, but digital, visual, and critical literacy. We believe for a child to be successful in the 21st century, she must know how to use these literacy skills successfully.

- We use an inquiry-based approach to learning science and social studies.
- We offer **expanded** uses of **assessment**:
  - We use traditional measurement tools for accountability
  - We use data that derives from an observational context to evaluating the Learners’ individual process and products.

In addition to the core curriculum, all Learners receive a rich curriculum in developmentally appropriate “Learning-to-Learn” skills that has been created by the current school. (Rubrics for assessing these skills are located in Appendix F.) These include:

- Reading, Writing, and Mathematic Competencies
- Time and Task Management
- Research
- Effective Presentations
- Teaming Strategies
- Individual Teamwork
- Oral Communications
- Teaching others
- Democratic Leadership
- Ownership of Community (Democracy and Leadership)
- Judicial System Interaction (Democracy and Leadership)
- Personal Visioning
- Technology Skills
- Systems Thinking

Learners in grades 6-8 also receive semester seminars in Visual Communications, Electronic Music, Digital Video Studio, Builder’s Workshop and Lego Robotics and Creative Writing.

Learners in grades 9-12 have access to electives in art, creative writing, digital video, electronic music, and Spanish. Through the use of innovative programs such as Learning Management Systems and UC-approved online courses, ACLCL offers Honors and other electives.

***Broad overall program goals***

The most comprehensive and individualized goals are that all Learners in the ACLCL meet the Graduate Profile and ACLCL Graduation Requirements which are aligned with the admission requirements of the University of California. This profile specifies the outcomes for all Learners across a range of domains. All ACLCL programs and strategies are held up to this standard to

determine their worth and efficacy. An example of a current Graduate Profile and Graduation requirements is in Appendix A and G.

### ***Philosophical, Theoretical and Research Base for the Vision***

This philosophical basis for the ACLC model grew from a 1995 community-wide visioning process conducted by the AUSD leadership. This visioning process resulted in the AUSD Vision, the AUSD Graduate Profile, and was the seed of ACLC. Over the course of many years, ACLC has implemented strategies to produce effective lifelong Learners and has looked at research in socio-psycholinguistic learning, education, brain development, organizational development, and community development to determine best practices. This information has been distilled from the book *Learning-to-Learn: A Conceptual Framework for the School of the Future*, from which the following paragraph is taken:

“The evolution occurring in corporate organizational development parallels the shift in cognitive science from “behaviorism” (learning through control and conditioning) towards “constructivism” (learning through discovery and meaning making). If accelerating change is forcing organizations to learn, then individuals too, must become lifelong Learners. Moreover, individuals must learn how to learn.”

To this end ACLC utilizes the following instructional/learning strategies:

- Learners, in collaboration with their Facilitators, establish their own individualized goals and life plans at a developmentally appropriate level (Grades 6-12).
- Learners work toward mastery in their studies through goal setting. Learners who progress rapidly can move on to new material that would not be traditionally taught at their age level. Learners who are experiencing difficulty achieving mastery may take longer than usual to complete specific subject matter. To the greatest extent possible, these Learners are supported and encouraged by peers and Facilitators. Learning differences are universal, and all ACLC participants are aware that no two people learn things in precisely the same manner or timeframe.
- Subject matter is addressed from multiple perspectives – utilizing learning teams, project-based approaches, presentation requirements (artistic, technological, oral, kinesthetic), and is subjected to supportive but critical review by the learning community.
- Learners are expected to conduct developmentally appropriate, original inquiry into scientific, social, artistic, and literary topics – often gathering information from primary and secondary sources to develop and test personal or group hypotheses. This inquiry may include original research into local social, ecological, economic, and cultural phenomena that are of relevance to our community.
- The participatory governance of ACLC is a part of the learning experience itself – managing legislative, judicial and executive functions of the school in a collaborative and accountable manner.

- ACLC promotes effective communication between parents and Facilitators, the Lead Facilitator, and counselors by involving parents in Learner Led Conferences.
- ACLC Learners have Learner Led Conferences on a semi-annual basis to present and demonstrate growth in the Learning-to-Learn skills to other Learners and their families, as well as their own family. Facilitators formally evaluate these conferences on the basis of quality of portfolio/project work, quality of presentation, and the Learner's sense of competence in making presentations. Facilitators and Learners utilize a standardized format to assess the effectiveness of the Family Conferences regarding content, presentation, and original thought.

Learners and Facilitators are engaged in authentic language use and this takes place in context, making meaning in a language rich environment. All Learners are valued for their contributions to their learning community regardless of their intellectual or linguistic abilities and regardless of their socio-cultural or ethnic backgrounds. Learners take control of their lives to become active contributing critical thinkers in society.

### **Curriculum Description**

The AUSD/ACLC Graduate Profile (Appendix G) and the ACLC Graduation Standards define the outcomes needed to graduate from ACLC. Curricular emphasis is placed on Learning-to-Learn Skills as a necessity in a world where knowledge increases exponentially. The ACLC 6-12 curriculum binder provides the grade level and course level details of the ACLC academic curriculum.

### **ACLC Graduation Requirements, Grades 6-12**

Coursework required for graduation is aligned to California State Standards. The Graduate Profile, along with the Learning-to-Learn skills and specific ACLC requirements (Senior Portfolio, Senior Project, Community Service) are outlined in the ACLC Planner, which is provided to all Learners. All ACLC graduates will have met all state standards and completed a course load that is aligned with admission requirements of the University of California.

### **Coursework, Grades 6-12**

Courses in mathematics that are taught by Facilitators include: 6<sup>th</sup> grade math, Pre-Algebra, Algebra (in one or two years), Geometry, Algebra II and Pre-Calculus. Learners have the opportunity to take statistics and/or Calculus through the College of Alameda.

Courses in English/Language Arts and U.S/World History are integrated as a course called Humanities and taught as a two-year cycle for grades 7 and 8. In grade 9, Language Arts is combined with Current Life and Media Studies; grades 10 and 11 are multi-age courses that alternate on a two-year cycle; and a combined English/Senior Seminar course is taken in grade 12.

In grades 10 and 11, Learners take Modern World History and U.S. History, followed by Government and Economics at grade 12.

For Science the course offerings include grade 6-8 Earth, Physical, and Life Science programs in addition to technology and robotics programs. As part of the ACLC graduation requirements, all Learners take Chemistry, Biology and Physics.

Honors level courses are offered on a yearly basis based on Learner interest and the feasibility of conducting small classes. ACLC uses State Standards aligned course descriptions developed by ACLC. (See ACLC 6-12 Curriculum Binder.)

All students participate in a course called Contemporary Community Citizenship (“CCC”), which is the decision making forum of the school’s democratic community. Student leadership, another course offering that trains students in democratic processes, acts as the coordinating body for the CCC’s proposals, Judicial Committee work, and implementation of community decisions.

With the support of an ACLC Facilitator, older, experienced Learners may help design and facilitate courses. For example, the ACLC’s 9-12 program has recently created a course in Educational Leadership that trains Learners to act as tutors in our 6-8 programs. These Learners also run Learner study hall tutorials for the general Learner community.

Embedded in the work of each course are the Learning-to-Learn skills (referenced earlier) necessary for the continuous learning that will be crucial to success in the 21st Century by people of any age.

### *School Year and School Day, Grades 6-12*

For the 2019-2020 school year, ACLC will have 180 instructional days with a total of 65,160 instructional minutes in grades 6-12. (See Appendix H for instructional minutes calculations.) If the calendar is changed by the ACLC Governing Board because of state budget changes, all state minimum attendance requirements will be met for any revisions.

In addition, ACLC will be open from 7:30 a.m. to 4:00 p.m. Monday through Thursday to allow Learners additional time to study, access technology, and meet in group work teams and receive additional tutoring from Facilitator staff. These extra open hours for the school provide Learners an additional 15,380 minutes a year, beyond the required minutes, to have a safe place in the community to be before and after school. These minutes are not mandatory. ACLC will be open in the evenings for special projects as necessary.

### **ACLC Serving High School Students**

ACLC will seek renewal of its WASC accreditation in 2023. ACLC courses are approved by the University of California to meet the A-G requirements. All ACLC graduates meet the UC a-g requirements as a result of meeting the ACLC Graduation Standards (Appendix A). Our WASC accreditation also ensures that ACLC courses are fully transferable to other high schools. ACLC

has a complete binder of UC approved course descriptions which is available in the school office and distributed to students. The current 6-12 model has produced the following results: 90% of all ACLC graduates (class of 2018) now attend a four year college or university. Students from the graduating class of 2018 are currently attending prestigious California universities such as the University of California at Berkeley, Santa Cruz, UC Davis and California State colleges such as Cal State East Bay, Cal Maritime, and San Francisco State. Our graduates are also students of renowned private colleges such as Stanford University, MIT, The Claremont McKenna Colleges, Brown University, Smith College, Harvard University, Oberlin College, Georgetown, Barnard, Bates, Dartmouth College, University of Pennsylvania, and the University of Massachusetts.

Learners and their families are informed about the transferability of ACLC courses to other public high schools and the eligibility of courses to meet college entrance requirements at our annual “Back to School Night” and annual “Mandatory Parent Orientation” meeting, during individual counseling sessions with the ACLC counselor, and in our course description binders.

### **Serving Students with Disabilities**

ACLC shall comply with all applicable State and Federal Laws and use federal dollars appropriately in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

For purposes of special education, ACLC is its own LEA pursuant to Education Code § 47641(a) and is a member of the El Dorado County Charter School SELPA. ACLC complies with all State and federal laws related to the provision of special education instruction and related services, and all SELPA policies and procedures; and utilizes appropriate SELPA forms.

ACLC, as a participant in the El Dorado County Charter SELPA, performs the following and be exclusively responsible for all costs, charges, claims and demands arising out of or related to its own pupils and its respective programs operated by the LEA:

- A. Select, compensate and determine the duties of the special education teachers, instructional aides, and other personnel as required to conduct the program specified in the Local Plan, and in compliance with state and federal mandates, ACLCs may contract for these services;
- B. Conduct and/or contract those programs operated by the LEA in conformance with the Local Plan and the state and federal mandates;
- C. Organize and administer the activities of the IEP Teams, including the selection of the LEA staff and who will serve as members of the IEP Team in conformance with Education Code § 56341 and in compliance with the Local Plan;
- D. Organize and maintain the activities of the Resource Specialist Program in conformance with Education Code § 56362; the Designated Instruction and Service in

conformance with Education Code § 56363; and Special Classes and Centers in conformance with Education Code § 56364.1 and 56364.2; and in compliance with the Local Plan;

- E. Provide facilities as required to house the programs conducted by the LEA;
- F. Provide for the acquisition and distribution of the supplies and equipment for programs conducted by the LEA;
- G. Provide and/or arrange for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA;
- H. Cooperate in the development of curricula for the classes and the development of program objectives with the SELPA. Cooperate in the evaluation of the programs as specified in the Local Plan, with the SELPA;
- I. Cooperate in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the Local Plan with the SELPA;
- J. Provide for the documentation and reporting of assessment procedures used for the placement of individuals and the security thereof. Provide for the continuous review of placements and the assessment procedures employed to ensure their effectiveness and applicability, and ensure the continued implementation and compliance with eligibility criteria;
- K. Provide for the integration of individuals educated under this agreement into the general education school programs and provide for evaluating the results of such integration according to specifications of the Local Plan;
- L. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Local Plan;
- M. Prepare and submit all required reports, including reports on student enrollment, program expenditures, and program evaluation;
- N. Designate a person to represent the LEA on the Charter Special Education Steering Committee to monitor the implementation of the Plan and make necessary recommendations for changes and/or modifications;
- O. Designate a representative for the LEA to serve on the Special Education Community Advisory Committee, in accordance with Education Code § 56192-56193 and pursuant to the procedures established in the Local Plan;
- P. Receive special education funding from the El Dorado County SELPA in accordance with the Charter Consortium Allocation and Budget Plan.

## ASSURANCES

ACLC, as a participant in the El Dorado County Charter SELPA, makes the following assurances with regard to the special education services for students:

### 1. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

It shall be the policy that a free appropriate public education is available to all children attending ACLC starting with grade 6 and extending to age 21 inclusive, including children with disabilities who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Plan (IEP) that meets the unique needs of each individual in order to benefit from his/her access to educational opportunities.

### 2. FULL EDUCATIONAL OPPORTUNITY

It shall be the policy of ACLC that all pupils with disabilities have access to the variety of educational programs and services available to non-disabled pupils including nonacademic and extra-curricular services and activities.

### 3. CHILD FIND

It shall be the policy of ACLC that all children with disabilities, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated.

### 4. INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)

It shall be the policy of ACLC that an Individualized Educational Program (IEP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program.

### 5. LEAST RESTRICTIVE ENVIRONMENT

It shall be the policy of ACLC that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, occurs only when the nature of severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.

### 6. PROCEDURAL SAFEGUARDS

It shall be the policy of ACLC that children with disabilities and their parents shall be provided with safeguards throughout the identification, evaluation, placement process, and the provision of a free appropriate public education to the child.

## 7. ANNUAL/TRIENNIAL REASSESSMENT

It shall be the policy of ACLC that a review will be conducted on at least an annual basis to review the child's progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or make any necessary revisions.

ACLC shall conduct a reassessment of each child with a disability at least once every three years, or more frequently, if conditions warrant a reassessment or if the child's parent or teacher requests a reassessment and a new Individualized Education Plan (IEP) to be developed.

## 8. CONFIDENTIALITY

It shall be the policy of ACLC that the confidentiality of personally identifiable data information as records maintained by the LEA relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction.

## 9. PART C, TRANSITION

It shall be the policy of ACLC that children participating in Early Intervention Programs, (IDEA, Part C) and who will participate in preschool programs (IDEA, Part B) experience a smooth and effective transition between these programs. (This assurance may not apply to ACLC since ACLC's entry grade is grade 6.)

## 10. PRIVATE SCHOOLS

It shall be the policy of ACLC to assure that children with disabilities voluntarily enrolled by their parents in private school shall receive special education and related services in accordance with SELPA procedures. The required proportion of federal funds received will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

## 11. COMPLIANCE ASSURANCES

It shall be the policy of ACLC that the local plan shall be adopted by the appropriate local board(s) (CLCS) and is the basis for the operation and administration of special education programs; and 2) that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

## 12-13. GOVERNANCE

It shall be the policy of ACLC to support and comply with the provisions of the governance structure and any necessary administrative support to implement the plan.

14. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

It shall be the policy of ACLC that it will support and assist the state's efforts and activities to ensure an adequate supply of qualified special education, general education, and related services personnel.

15. PERSONNEL STANDARDS

It shall be the policy of ACLC to make an ongoing, good faith effort to recruit and hire appropriately and adequately trained personnel, as defined by state standards to provide special education and related services to children with disabilities. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards, shall be assigned.

16. PERFORMANCE GOALS & INDICATORS

It shall be the policy of ACLC to comply with the requirements of the performance goals and indicators developed by the state and provide data as required by the state.

17. PARTICIPATION IN ASSESSMENTS

It shall be the policy of ACLC that students with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations, where necessary. For those children with disabilities who cannot participate, alternate assessment will be conducted.

18. SUPPLEMENTATION OF STATE/FEDERAL FUNDS

It shall be the policy of ACLC to include this information in the Annual Budget Plan submitted annually to the state.

19. MAINTENANCE OF EFFORT

It shall be the policy of ACLC to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local and other federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal law and regulations.

20. PUBLIC PARTICIPATION

It shall be the policy of ACLC that prior to its adoption of policies and procedures, the LEA shall make the policies and procedures available to the general public, hold public hearings and provide an opportunity for comment by the general public.

21. SUSPENSION/EXPULSION DATA

It shall be the policy of ACLC that data on suspension and expulsion rates will be provided in a manner prescribed by the state.

## 22. PART C

It shall be the policy of ACLC to submit the Part C (infant/toddler) Local Interagency Agreements to the state as part of the Annual Service Plan.

### ***Section 504 of the Rehabilitation Act***

ACLC shall be solely responsible for its compliance with Section 504 (sample ACLC 504 Policies are in Appendix M) and the ADA. The facilities to be utilized by ACLC shall be accessible for all students with disabilities.

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

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

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

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

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

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

### ***Identification and Instructional Strategies for Special Populations***

ACLC will do everything necessary to comply with the Individuals with Disabilities in Education Improvement Act, Education Code requirements, and applicable policies and practices of the El Dorado County SELPA (attached to this charter as Appendix L).

ACLC will comply with SELPA protocol as to the delegation of duties between the SELPA and the local school site in providing special education instruction and related services to identified pupils. ACLC will request an annual meeting between ACLC and the SELPA to review special education policies, procedures, protocols, and forms of the SELPA and SELPA protocol, to ensure that ACLC and the SELPA have an ongoing mutual understanding of legal and SELPA protocol and will facilitate ongoing compliance.

ACLC will conduct “Child Find Activities” as prescribed by federal law and have a “Special Education Process” in place that meets all applicable laws related to special education. ACLC shall follow all procedures for identification including “Student Study Teams,” assessments and IEPs.

Special needs Learners will be supported by a Resource Specialist(s) in addition to the services listed in their IEPs. This specialist and a full-time counselor will meet for one hour weekly with all ACLC Facilitators to consider ways to address Learner needs. All Facilitators will participate

in the creation and implementation of IEP and Section 504 plans and there will be an ongoing effort to find new ways to carry out specialized learning plans to meet individual needs. Learners with IEPs receive appropriate accommodations and modifications in formal and informal testing situations as well as in the completion of daily class work. The Resource Specialist(s) and the Counselor will be fully integrated Facilitators in the community.

Weekly Facilitator meetings also serve as Student Study Team meetings, which consider Facilitator referrals for Learners in needs of additional support. ACLC small school community enhances Facilitators' ability to identify and address individual needs and the school's philosophy and structure greatly support unique learning styles and needs. Learning is then designed to make full use of each Learner's strengths and support growth in areas of weakness. Each young person learns differently and ACLC supports that reality.

### **ACLC Special Education Overview**

- All Learners at ACLC with disabilities are fully included in all aspects of the general education curriculum.
- Services that remediate academic challenges are incorporated into the general education program, including Learners without disabilities.
- All Learners at ACLC with and without disabilities are expected to participate in leadership roles in the community.
- Referrals for assessment for special education services are generated by Facilitators, Student Study Teams and parents. Assessments are conducted within the legal timeframe. ACLC collaborates with El Dorado County Charter School SELPA School Psychologists, Speech and Language Therapists, Vision and Mobility Specialists, Adaptive Physical Education Teachers and Special Day Class teachers to provide appropriate educational services to our Learners.
- ACLC uses 21<sup>st</sup> century educational technology, providing more access to learning opportunities for Learners with disabilities, e.g. online learning, computer assisted learning, independent learning programs, peer tutoring, project-based learning

### **Resource Specialist/Full Inclusion Specialist Duties (RS/FI)**

Starred (\*) sections are federally and/or state mandated duties. Duties of the RS/FI Specialist at ACLC include but are not limited to:

#### **Special Education Testing, IEP Development and Collaboration**

- Identify Learners with learning disabilities or other disabilities (physical/neurological, cognitive, and emotional) that affect learning in the general education environment.\*

- Administer standardized academic achievement tests, interpreting results to determine Learners' strengths and areas of need for initial assessments and triennial assessments.\*
- Provide alternative accommodations and/or modifications to Learners with disabilities for assignments and testing in the general education curriculum.\*
- Consult with School Psychologist, Vision and Hearing Specialist, Speech Specialist, Occupational Therapist and other specialists on testing and writing formal initial and triennial assessment reports.\*
- Collaborate with parents, Learners, Facilitators, advocates and specialists to develop and implement Individual Education Plans for Learners with disabilities including the development and improvement of accommodations/modifications to create greater access to education for Learners with disabilities.\*
- Maintain timelines as prescribed by federal law under IDEA (Individuals with Disabilities in Education Act, 1997) and IDEIA (Individuals with Disabilities in Education Improvement Act, 2004) and State of California Education Code.\*
- Generate required paperwork documenting meeting attendance, eligibility, program placement and goals/objectives in compliance special education law.\*
- Administer State testing (STAR and CAHSEE) to Learners with accommodations and modifications and preparing testing materials in compliance with State regulations.\*
- Report to site administrator (ACLCL Lead Facilitator), El Dorado County Charter SELPA Program Specialist and El Dorado County Charter SELPA Special Education Director on RS/FI program status, caseload and other issues. Negotiate with El Dorado County Charter SELPA managers for access to El Dorado County Charter SELPA general and special education programs on behalf of Learners with disabilities.\*
- Increase access to the educational system for parents and Learners with disabilities by providing resources for advocacy within the educational system and community and providing `information and referrals to support Learners' success.\*

### Curriculum Accommodations and Modifications

- Collaborate with general educators to implement and adjust accommodations and modifications as per IEPs including informing general educators about the effect of disabilities on access to education and the educational needs of Learners with disabilities.\*
- Teach or co-teach Humanities Lab or Learning Lab in coordination with ACLCL staff for Learners with disabilities requiring additional one-to-one support.\*
- Develop alternative assignments and activities and independent study opportunities to fulfill course standards for Learners with disabilities.\*
- Implement, provide educational materials, tutor and grade alternative educational coursework for Learners with disabilities.\*
- Create Behavior Support Plans in coordination with the IEP team and general educators to improve behavioral outcomes for Learners with disabilities.\*
- Create and implement Behavior Intervention Plans (for Learners with disabilities), including conducting functional analysis assessment as needed (see BICM certification).

- Advocate for Learners with disabilities in disciplinary proceedings (including Judicial Committee, parent conferences and Governing Board) at ACLC and other proceedings within the AUSD.\*
- Coordinate Manifestation Determinations for Learners with disabilities who reach a critical level of disciplinary interventions at NCLC.\*

#### Collaboration with and Referral to Outside Agencies

- Assist Learners with disabilities in accessing community resources for education such as El Dorado County Charter SELPA alternative educational services, community college and counseling.
- Provide documentation for continuing special education services to community colleges.\*
- Provide documentation of disability to testing agencies such as the College Board to request testing accommodations for Learners taking the SAT or ACT exams.
- Provide reports and legal documentation of disability as determined by the AUSD to outside agencies that provide auxiliary services to Learners with disabilities (County mental health agencies, Regional Services, County social services agencies).\*

#### Professional Development

- Attend professional meetings, educational conferences, and teacher training workshops to maintain and improve professional competence.
- Maintain certification for Behavior Intervention Case Manager and Crisis Prevention Intervention certification.
- Attend El Dorado County Charter SELPA Special Education meetings, Special Education Staff Development and Job-Alike meetings (for Resource Specialist and Full Inclusion Specialists).\*

#### Paraprofessional Supervision

- Supervise paraprofessional serving Learners in the Resource Specialist Program and Full Inclusion Program.\*
- Create push-in, small group and tutoring schedule with paraprofessional.
- Provide training to paraprofessional on behavior management techniques, teaching methods and materials and approaches.
- Provide input for El Dorado County Charter SELPA annual evaluation of paraprofessional according to CSEA guidelines in coordination with Personnel Committee and Lead Facilitator.

### **English Language Learners**

ACLC meets all applicable legal requirements for English Language (EL) Learners as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English

proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements.

EL Learners receive placement and ongoing assessment. EL Learners participate in mainstream classrooms led by Facilitators who are CLAD (or the equivalent California Commission on Teacher Credentialing certification) certified and provide a wide variety of differentiated instruction. Our small size enables us to work very closely with EL Learners to meet their unique needs; in many cases, this includes such accommodations as 1-to-1 reading support or working with a Learner to create an assessment that demonstrates his/her content knowledge in a manner that isn't inhibited by language gaps. We firmly believe that this targeted assistance, as well as the language-rich environment of ACLC (unrestricted access to the Internet, frequent participation in group projects, large number of oral presentations) is a key factor in most EL Learners being re-designated R-FEP by the time they graduate.

EL Learners in the ACLC community are supported not only by the availability of traditional language development classes, but by the self-directed, hands-on approach of our program, which is accessible to all learning modalities. Within all seminars, learning is "sheltered" to enable every Learner to access information and formulate new knowledge based on prior learning and experience.

The needs of English Learners are identified by ACLC using the same methods employed by the AUSD. Upon enrollment at ACLC, parents of the child are given the Home Language Survey. If a language other than English was noted on the Home Language Survey or enrollment forms, ACLC is required to assess the English and primary language proficiency of the child using the ELPAC within 30 days of enrollment.<sup>2</sup> Depending upon the ELPAC level, Learners are appropriately placed. These students will also be administered a primary language assessment in their native language within 90 days of enrollment.

ELs will be placed in classrooms with students of similar proficiency levels and/or in SDAIE or ELD Cluster classrooms, receiving instruction utilizing sheltered methodologies, strategies, and techniques in all of their academic areas throughout the course of the day to assist in ensuring that any existing academic deficits are addressed. In addition, ELs will receive differentiated English Language Development instruction from the Facilitator(s) based on their own English Language Proficiency Level for 30 to 40 minutes daily. The differentiated instruction may be integrated into the daily Reading and Writing Workshops, providing individualized (one-on-one) conferences to the English Learner(s). As the need arises, differentiated ELD instruction may be provided to the English Learners in small groups with similar proficiencies in English at a designated time during the day. The English Learners will continue to be supported by the self-directed, hands-on approach of ACLC.

ELs whose ELPAC Proficiency Level is Minimally Developed, Somewhat Developed, or Moderately Developed will be placed in a Grade 6-12 SEI: English Language Development,

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<sup>2</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 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.

Sheltered English, and Sheltered Content Area Classes. Structured English Immersion (SEI) provides instruction in English and includes a sequential ELD program including language arts and sheltered English content with primary language support as needed. Learners are held to the state ELD standards as they progress toward mastery of the grade level standards. These courses will be available for ACLC Learners at ACLC. Content area classes at ACLC are taught by qualified SDAIE Facilitators who use strategies such as the use of more visuals, active/physical responses, graphic organizers, leveled reading materials, multimedia presentation and equipment, computer programs, peer tutors, and cooperative learning.

Learners whose ELPAC Level is well developed will be placed in a Grade 6-12 ELM: English mainstream classes with daily differentiated English Language Development instruction until re-designation as Fluent English Proficient. English Language Mainstream (ELM) provides instruction in English and is based on grade-level state standards. Learners will continue to receive additional and appropriate instruction in English Language Development (ELD) at ACLC in order to meet the requirements to be re-designated/reclassified as fluent English proficient (FEP). Content area classes at ACLC are taught by qualified SDAIE Facilitators who use strategies such as the use of more visuals, active/physical responses, graphic organizers, leveled reading materials, multimedia presentation and equipment, computer programs, peer tutors, and cooperative learning.

The goals of all programs are for the ELs to learn English and meet age appropriate academic achievement standards for grade promotion and graduation. ELs are retested yearly using the ELPAC to see if they are eligible for reclassification (using the additional AUSD standards for reclassification) and to make sure that they are making progress. All costs associated with EL services shall be the responsibility of ACLC.

### **Homeless & Foster Youth**

ACLC complies with the McKinney Vento Homeless Assistance Act in ensuring that students identified as homeless have equal access to education as their peers and offer additional resources and connections to services to support their families.

ACLC complies with the California Education Code regarding serving foster youth and ensuring their access to education and services to support them.

### **High Achieving Learners**

ACLC is an ideal environment for high achieving Learners. Learners are welcome and encouraged to reach beyond the ACLC curriculum to pursue their own interests and learn at their own pace. ACLC offers a range of honors courses for high achieving Learners.

Within the ACLC program, Learners are not constrained by grade level. With Facilitator and parent approval, Learners may take seminars above their grade level if they can demonstrate that they've already met the learning outcomes for their own grade.

Within the ACLC curriculum, our self-directed, project-based approach allows exceptional flexibility for high achieving Learners to approach learning according to their unique skills, abilities and talents. The multi-aged setting of the 6-12 facility allows Learners to learn at their own rate. Additionally, our Facilitator staff is active in guiding Learners to extracurricular education and enrichment programs. Learners at ACLC will access to similar programs of ACLC such as Stanford's Summer College Program, UC Berkeley's Young Entrepreneurs at Haas, and The National Book Awards Summer Writing Program. Due to its close proximity, older Learners are encouraged to take additional evening and summer electives not provided by ACLC at the College of Alameda.

### **Strategies for Low Achieving Learners**

All Learners at Nea are supported by small class size and a school structure and philosophy that provide increased Learner access to Facilitator assistance, as well as more focused time for Facilitators to meet and address individual Learner needs. At Nea, all support systems are aligned with the purpose of systemically intervening as necessary on a case-by-case basis. In Fall 2016, Nea began the use of a Google form in order to track data more consistently. In Fall 2017, the Counseling revamped the process for tracking data to be more effective based off of feedback from the year prior. Facilitators and staff will track all data longitudinally in the same form to monitor the effectiveness of each intervention and inform our practice to help all Learners be successful. Each intervention stage runs for 8 weeks in order to give time for the intervention to be effective. In the event that a Facilitator feels that a Learner's case is extraordinary and needs to be fast-tracked to Safety Net Cycle 2, administration will be consulted and direct staff to the appropriate next step for that Learner.

#### TIER ONE

##### *Class Interventions*

When Facilitators recognize when Learners are off track academically or behaviorally, they implement class interventions and try to support the Learners' success. Facilitators will partner with parents/guardians, review the Learner's cumulative file, and consult previous Facilitators to discover strategies that have been successful. Facilitators will also review the Roster of Support located in the Counseling Folder. The Roster of Support allows Facilitators to see if there have already been interventions in place or what level of support the Learner is at (i.e. Safety Net, 504, IEP). The MTSS folder also has historical data from previous year's support as well as Lower Village 504 and Upper Village 504 accommodation lists by Learner. If a Learner already has existing supports, Facilitators will review them and be sure to implement as appropriate. If a Learner has had no supports at Nea or supports listed in their cumulative file, Facilitators will communicate with the Learner's family to determine if outside supports or prior supports were recommended/implemented but not listed in the cumulative file.

##### *Safety Net*

If a Learner is not successful after the implementation of class interventions, the Facilitator will meet with the Learner's grade level team and form a Safety Net. In the Safety Net meeting, Facilitators list and discuss interventions and strategies that have been used and have been successful. Facilitators will work as a team to brainstorm the causes of the Learner's challenges and identify set interventions that they will try moving forward. Each Department Lead tracks

data in the Safety Net form located in the MTSS Counseling Folder for their Village. Facilitators will then observe the Learner and report progress every 8 weeks.

In 8 weeks, Facilitators will fill out the form again and then meet again to review how effective their Safety Net was at catching the Learner. After reviewing the data, if the Learner has had adequate progress, they will continue their interventions and monitor.

If the Learner has not had adequate progress, the Facilitators will adjust intervention strategies and implement for 8 weeks. Department Leads will then document the Safety Net 1 progress and new interventions in Safety Net Cycle 2.

## TIER TWO

### *Intervention Team*

The Intervention Team (IT) consists of the Lead Facilitators, Counselors, and Dean. IT meets bi-weekly to support Learners by reviewing the Intervention Team Referral Form and using a menu of support options based on the level of need. Learners will continue to receive support from Facilitators in addition to the support from IT. One team member will be the point-person for tracking the progress of Learners who have been referred. Notes will be taken in the same form as the Safety Net notes.

If the Learner has seen adequate progress in Cycle 2, staff and IT will continue to monitor as needed. In the event that there is inadequate progress, IT will then call for a Learner Support Team (LST) Meeting.

### *Learner Support Team Meeting I*

When a Learner is referred to an LST, the school counselor will then schedule a meeting with the Learner, the Learner's parent/guardian, Facilitators, and the school counselor. Prior to the meeting, the school counselor will request Facilitators/relevant staff provide notes if that staff cannot attend an LST. The data that has been collected from the beginning of the MTSS process will inform the direction of the LST meeting. The purpose of the LST is to come up with interventions that the LST participants feel will be most impactful for the Learner. The LST Notes will be taken and stored by the school counselor. The notes shall include a review of the Learner's strengths, areas for growth, relevant background, intervention strategies that have been attempted, brainstorming possible interventions, and an action plan. The school counselor will then schedule a follow-up LST Meeting to review progress in 6-8 weeks.

### *Learner Support Team Meeting II*

The school counselor will facilitate a follow-up LST Meeting to review progress. Prior to meeting, Facilitators and relevant staff will track their progress and report their results in the meeting. The school counselor will review the data and request an administrator or SPED staff to attend the scheduled meeting, if needed. The school counselor will confirm the scheduled meeting with members of the LST.

If the Learner has seen adequate progress in 6-8 weeks, the LST will continue to monitor as needed. In the event that there is inadequate progress, the LST (including administration) will implement alternative interventions that have not been tried for the Learner. Administration and

the LST may decide the Learner should be recommended for a 504 Accommodation Plan or special education assessment.

### TIER THREE

Learners requiring Tier 3 support have exhausted all other options and need to have a more in depth form of support.

#### *504 Accommodation Plan*

In the event that a Learner has a diagnosed or presenting disability, they may receive a 504 Accommodation Plan to ensure they are successful. Learners who do not qualify for Special Education but have a need for accommodations may also receive a 504 depending on the results of the assessment. The school counselor will review the recommendations and implement a plan to effectively support the Learner as appropriate.

The U.S. Department of Education website describes a 504 as follows:

Section 504 provides that: “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . .”

504 Accommodation Plans at Nea will adapt as necessary to support Learner success. Facilitators will update the 18-19 MTSS Data Tracker roughly every month.

#### *Special Education Initial*

If a Learner does not have a diagnosed mental health or medical disability, the LST may decide to pursue a special education (SPED) assessment to determine if a Learner has a qualifying need for SPED services. If this is the case, the school counselor will schedule a separate meeting with the grade level team, parent, education specialists, and administration. Prior to meeting, the school counselor will review all of the data and LST notes with the school psychologist, education specialists and Director of Special Education. If an Assessment Plan is signed, the SPED team will assess within 60 days and develop an Individualized Education Plan if the Learner qualifies.

Intervention Team consisting of Administration, Counseling staff, Dean of Students, and Resource Specialists and ELD coordinator when appropriate meet bi-weekly. In these meetings, the team focuses on Learners who have been referred by Facilitators based on assessments and/or observations through the proper MTSS form. Concerns are discussed and appropriate interventions are put into place as appropriate. Often, Learners are referred to the Intervention Team because the Facilitator suspects learning, language, emotional issues, or attendance concerns may be resulting in underachievement. The team uses both quantitative (e.g., academic grades, classroom assessments, standardized testing data, academic transcripts) and anecdotal data to establish an educational plan to help the Learner achieve proficiency. In some cases, placement in support classes such as Reading Lab and Math Lab is recommended to help a Learner improve his/her skills. While attending these classes, regular assessment of learning within the support class, MAP assessment scores, as well as improved classroom grades are used to determine if the support should be continued or modified.

The curriculum design of the Nea program, and our philosophical belief that learning occurs at different rates and in a variety of ways for each individual, gives Nea Learners the option of repeating courses. Learners may take additional time as needed to meet the standards.

Nea's combination of Project-Based Learning, differentiated instruction, unique course offerings, and multi-tiered systems of support have proven effective at making progress toward closing the achievement gap and equipping a group of Learners with the academic skills and emotional tools to be meaningful contributors to their communities and successful in the 21<sup>st</sup> Century.

## **ELEMENT B: MEASURABLE PUPIL OUTCOMES**

In accordance with SB 1290, ACLC pupil outcomes related to annual academic achievement goals will be set and disaggregated by all numerically significant subgroups as defined in Education Code section 52052; including race/ethnicity, socio-economic status (SES), English Learner status, and Special Education designations, in the state priorities that apply for the grade levels served or the nature of the program operated, as well as the specific annual actions to achieve those goals, any additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those additional goals.

ACLC acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that ACLC shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Office of Charter Schools on or before July 1. In accordance with Education Code sections 47604.33 and 47606.5, ACLC 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. ACLC shall comply with all requirements of Education Code section 47606.5, including but not limited to the requirement that ACLC “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.” (Ed. Code § 47606.5(e).)

ACLC’s pupil outcomes, disaggregated by numerically significant subgroups in compliance with Education Code section 47607(b)(5)(A)(ii), are found on the AUSD Charter Renewal Performance Report located in the appendices.

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

Charter School shall comply with the requirements of Education Code section 51224.7 with respect to implementing a fair, objective and transparent mathematics placement policy for pupils entering the ninth grade.

*Governing Law: “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.” Education Code § 47605(b)(5)(B).*

ACLCL has measurable outcomes for all Learners including high and low achievers, special education, and English Learners that are aligned to State priorities.

ACLCL Learners shall demonstrate throughout the year that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. These goals are consistent with California state standards and all UC approved ACLCL courses. ACLCL also has WASC accreditation. All ACLCL Learners will fully participate in California’s statewide standardized testing system. All ACLCL graduates shall meet the AUSD graduation standards and exceed those standards by meeting all of the UC a-g requirements.

The specific measurable educational objectives pursued by ACLCL are as follows:

Content Area	Goals/Outcomes
<p><b>Schoolwide</b></p>	<p><b>Goal:</b> ACLCL Learners and their parents will express significant satisfaction with their educational experiences.</p> <p><b>Goal:</b> ACLCL will meet a majority of its annual growth and performance targets.</p> <p><b>Goal:</b> Annually, ACLCL will have a smaller achievement gap than is characteristic of the district as a whole as measured by standardized testing and longitudinal students of Learner cohorts.</p> <p><b>Goal:</b> ACLCL Learners will make yearly improvement on California standardized testing requirements for a majority of subgroups.</p> <p><b>Goal:</b> ACLCL will meet or exceed at 94% student attendance rate.</p>
<p><b>College/Career Ready</b></p>	<p><b>Goal:</b> ACLCL Learners will demonstrate achievement of the Graduate Profile as measured by Senior Electronic Portfolios that are assessed by the ACLCL Governing Board (a requirement for receiving an ACLCL diploma).</p> <p><b>Goal:</b> ACLCL Learners shall meet the UC a-g requirements as part of the ACLCL Graduation Standards.</p> <p><b>Goal:</b> ACLCL Learners shall meet the ACLCL standard of having a 2.0</p>

	cumulative GPA for graduation.
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**Goals Aligned to State Priorities**

Pursuant to Education Code § 47605(b)(5)(B), the following is a description of ACLC’s outcomes that align with the State priorities and ACLC’s goals and actions to achieve the State priorities.

**Goal 1:** Ensure that students demonstrate academic growth and proficiencies so they leave ready for college/career. [State Priorities #2, #4, #7, #8]

- Continued implementation through professional learning aligned with schoolwide initiatives
- Continued implementation through professional learning aligned with schoolwide initiatives to support differentiation for students at-risk
- Implement academic interventions for students who need additional support, with emphasis on long-term English Learners, Foster & Homeless Youth, and students of low socioeconomic status
- Continue ELD specialist model to provide targeted support aligned to ELA/ELD Framework
- Provide targeted Special Education supports to include: Common Assessment Process including release time, calibration, refinement and data analysis.
- Continue to offer and ensure enrollment in a broad course of study

**Goal 2:** Align students learning to state-adopted standards supported by materials, instruction, and technology in a safe and clean environment. [State Priority #1]

- Provide teacher professional development and collaboration aligned with WASC and schoolwide goals
- Identify and prioritize and purchase instructional material needs
- Inventory, track, and upgrade existing technology hardware and software
- Create and implement professional development pathways to enhance and advance technology use via training and support for all staff
- Provide professional development and training for counselors regarding college and career readiness and four-year plans
- Implement custodial cleaning standards
- Provide targeted instructional supports, programs, and professional development

**Goal 3:** Engage parents, staff, and community to promote unique educational opportunities for students. [State Priorities #3, #5, #6]

- Maintain high attendance rates and low chronic absenteeism rates
- Maintain low suspension rates
- Maintain low middle and high school drop-out rates
- Maintain high graduation rates
- Maintain 4-year plans for every high school student

- Continue parent education workshops and information sessions
- Increase translation services
- Collaboration with community and business leaders to forge additional partnerships that support the improvement of student learning and workforce readiness
- Maximize site communication tools
- Implement creative solutions to close workforce gaps, including designing career pathways responsive to local and regional hiring needs
- Increase student engagement, positive student behavior, citizenship, and school climate

### **Local Control Accountability Plan (LCAP)**

ACLC's 2019-2020 LCAP can be found in the Appendices.

## ELEMENT C: METHODS OF MEASURING PUPIL OUTCOMES

*Governing Law: “The method by which pupil progress in meeting those pupil outcomes is to be measured.” Education Code § 47605(b)(5)(C).*

### *Assessment Tools*

At ACLC we use multiple measures to assess Learner’s level of conceptual understanding, content knowledge and acquisition of new skills. We provide opportunities for authentic assessment where students are able to demonstrate competency across subject areas. By engaging students in formative, on-going, and summative assessments, Facilitators are able to use assessment data to inform instruction, determine Learner’s gaps in understanding, identify the most effective methods of instructional delivery, and make course corrections where needed.

Through the methods listed below, we provide Learners, Facilitators, and families with a comprehensive view of student achievement. ACLC’s Curriculum and Assessment Lead and School Counselor are responsible for administering State-required assessments.

<b>What We’re Measuring</b>	<b>Assessment Tools</b>
<b>Proficiency in English Language Arts, Mathematics, History / Social Science, Science</b>	CAASPP (annual) ELPAC (annual, where necessary) Standards-based benchmark assessments using curriculum aligned to the California History-Social Science Framework CAST Standards-based benchmark assessments using curriculum aligned to the Next Generation Science Standards Framework Internal formative and summative assessments Course grades Senior Electronic Portfolios Senior Project
<b>Growth in Social-Emotional Intelligence</b>	Internal formative and summative assessments Senior Electronic Portfolios Senior Project
<b>Growth in Physical Fitness</b>	California Physical Fitness Test (PFT) in grades 7 and 9 Student performance tasks Teacher observation Course grades
<b>Growth in Proficiency Levels for Majority of Subgroups</b>	CAASPP (annual) ELPAC (annual, where necessary) Course grades
<b>Achievement of the Graduate Profile for Learners in Grades 6-12</b>	Senior Electronic Portfolios Performance Rubric Course Grades
<b>Learners in Grades 9-12</b>	Twice-yearly evaluation of Learner transcripts by school

<b>Meet a-g Requirements</b>	counselor Course Grades
<b>Majority of Annual Growth &amp; Performance Targets are Met</b>	California School Dashboard School Accountability Report Card

*Assessment Practices*

Pursuant to the transition to California’s Common Core and the California Assessment of Student Performance and Progress (CAASPP) System, ACLC established baseline performance in the first year of testing administration and will monitor demonstrated growth in performance each year thereafter.

If ACLC does not test with the District, ACLC hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school.

Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year as requested by AUSD.

ACLC’s assessment practices purposefully include a variety of measures to insure there are assessments appropriate for the various grade levels, subject areas, skills, knowledge, and/or personal qualities being assessed. Baseline and summative assessments are used to assess Learner mastery of content at the beginning of the year, Learner growth in content mastery over the course of the year, and at intervals throughout the year, providing both criterion-based and growth-based data on learning.

Coursework required for graduation is aligned to Common Core Standards. The Graduate Profile, along with the Learning-to-Learn skills and specific ACLC requirements (Senior Electronic Portfolio, Senior Project, Community Service) demonstrate skills gained over the course of the Learner’s educational journey.

Additionally, we believe that the semi-annual Learner Led Conference for all Learners is a critically important strategy to ensure that Learners are accountable to their families, to the Facilitators, and to the entire learning community. The Learner Led Conference provides an opportunity for Learners to demonstrate their progress in practicing the Learning-to-Learn Skills through an authentic assessment measure which changes regularly and is created using the input of Facilitators and the ACLC Leadership class. This balancing of high expectations, public display of meaningful work, and the opportunity to showcase talents in multiple modalities that best suit the learning style of the individual is a powerful incentive to Learners to optimally develop their skills.

ACLC will maintain a higher standard for Learner mastery than does the AUSD, requiring Learners to earn a minimum grade point average of 2.0 for graduation (6-12) or the equivalent demonstration of knowledge in order to achieve attainment of the standards and Learner

outcomes. Learners will receive progress reports in all grades every 4-5 weeks, similar to AUSD reporting systems. Learners will receive traditional A-F grades at the end of each semester for grades 6-12.

### *Forms of Assessment*

#### Initial Assessments

Initial assessment of students who are Alameda residents enrolling in the school for the first time can be done by using the AUSD Measures System. (ACLC will seek this information from AUSD.) Measures within an electronic database provide multiple measures to cross-reference, including classroom grades, standardized testing, district assessments, basic reading inventories, and individual writing assessments. Students from outside the AUSD will have their cumulative files reviewed by our counselor. *At the middle school level, prior to placement in the appropriate math course, all Learners will be given the MAP Assessment (Measures of Academic Progress) and will meet the State testing requirements as outlined by SBE regulations.*

#### Baseline

Baseline assessments are used at the beginning of the school year to gauge the Learner's level of master, from which point the Facilitator can appropriately plan instructional delivery.

#### Formative

ACLC uses a variety of formative assessment strategies to measure student mastery in the core area of mathematics, reading, writing, science, and social studies/history. Assessments may take the form of traditional pencil and paper assessments, and individual, small group, or whole class performance tasks. These assessments are to be Facilitator-generated and administered with the intent of collecting achievement data to inform best approaches to teaching and learning.

### *Uses of Assessment Data*

#### Maximizing Growth for Learners, Facilitators, and ACLC

The goal of ACLC's assessment strategies are to maximize progress toward goals for each Learner. To that end, we collect and analyze data in order to inform our instructional practices. We disseminate data to empower Learners, families, and our community. Together, Facilitators, families, Learners and community members work to use the data to improve our school, classrooms, and instructional approaches with the end goal of increasing student achievement levels.

At the school level, we use the data to:

- Identify areas of overall strength and the practices that contributed to these. Then, generalize these practices as appropriate to other areas in order to leverage these strengths.
- Identify areas of overall challenge, to evaluate action steps, to evaluate needed staff professional development support and accountability.
- Set school goals and achievement targets and identify actions for achieving those goals.

At the classroom level, we use data to:

- Identify areas of individual strengths and areas for growth in a Facilitator's practice, to leverage strengths and support areas for growth.
- Identify areas of content and skills for the whole class, which require acceleration or intervention.
- Identify areas of content and skills for small groups of students, which require acceleration or intervention to support them.

At the Learner level, we use data to:

- Identify areas of individual strengths and areas for growth in a Learner's learning, to leverage strengths and support areas for growth.
- Inform the development of goals for each Learner, made in agreement with families during the Learner-Led Conference.

To support data practices, ACLC uses student information management system PowerSchool to house assessment data. We use this system to create reports that allow us to disaggregate, analyze, and disseminate performance data to staff, the board of directors, parents, Learners, and AUSD.

### Accountability Strategies

ACLC is committed to providing all stakeholders with transparent accountability information regarding Learner achievement; parent, Learner and Facilitator program satisfaction; financial stability; graduation college attendance rates and information; and attendance. Our Program Evaluation Committee and the school leadership continually engage in identifying, creating and implementing new accountability measures. ACLC shares accountability information with the school community, larger community and charter authorizer via the following methods:

#### *Reporting Data to Families*

ACLC strives to be in a partnership with families, working together to maximize the learning trajectory of their children. To support this partnership, a combination of formal and informal reporting takes place to ensure families have open access to information and data on their child's development. Reports are user-friendly and written feedback is provided and translate into languages other than English as needed. Informal reporting to families is on-going through such methods as phone calls, texts, written notes, emails and face-to-face conversations and meetings. Formal reporting to families includes regular reports of student academic progress, assessment results, and annual Student-Led Conferences. Annually, ACLC reviews data from the California School Dashboard with families.

#### *Local Control Accountability Plan (LCAP)*

The multiple forms of data collected are used in the aggregate by ACLC to assess progress toward the goals outlined in Elements A and B. In acknowledgement of Education Code § 47606.5, on or before July 1 of each year ACLC produces a Local Control Accountability Plan (LCAP), which will update the goals and annual actions to achieve the goals identified in

Element B of this petition regarding State Priorities, using the LCAP template adopted by the State Board of Education. ACLC submits the LCAP to AUSD annually on or before July 1, as required by Education Code § 47604.33.

#### *School Accountability Report Card (SARC)*

ACLC uses the data from each academic year to produce a School Accountability Report Card (SARC). Student achievement data is disaggregated annually to clearly identify the academic performance of students by subgroups (e.g. ethnicity, gender, English Learners, socioeconomically disadvantaged, students with disabilities, etc.). This report includes required school data for our authorizing agency, parents, the board, and the community at large.

#### *California School Dashboard*

The Dashboard is a report card for local schools and districts that takes a more holistic look at the many performance areas that are key to preparing students for college and career after high school. This accountability systems puts equity at the center of assessing local schools and districts and provides greater transparency for parents and the community. ACLC used the data is the California School Dashboard to assess its performance and improves its practices.

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

## **ELEMENT D: GOVERNANCE STRUCTURE**

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

As an independent charter school, ACLC, 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.

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

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

The District reserves the right, but is not obligated, to appoint a single representative to the Charter School governing board pursuant to Education Code section 47604(b).

ACLC through this Charter and/or a separate Memorandum of Understanding, agrees to defend, and indemnify and hold harmless the District, its officers, directors, employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter “District” and “District Personnel”) from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, ACLC’s performance under this Agreement or the Charter, or any acts, errors, negligence, omissions or intentional acts by ACLC, its Governing Board, administrators, employees, agents, representatives, volunteers, successors and assigns.

### **LEGAL AND POLICY COMPLIANCE**

ACLC shall comply with all applicable federal, state, and local laws and regulations, and District policy as it relates to charter schools, as they may be amended from time to time.

ACLC shall comply with all applicable federal and state reporting requirements, including but not limited to the requirements of CBEDS, CALPADS, and Education Code section 47604.33.

ACLC shall comply with the Brown Act and the Public Records Act.

### **NOTIFICATION OF THE DISTRICT**

ACLC shall notify the OCS in writing of any citations or notices of workplace hazards, investigations by outside regulatory or investigative agencies, lawsuits, changes in corporate or

legal status (e.g. loss of IRS 501(c)(3) status), or other formal complaints or notices, within one week of receipt of such notices by ACLC. Unless prohibited by law, ACLC shall notify the OCS in writing of any internal investigations within one week of commencing investigation. ACLC shall notify the OCS within 24 hours of any dire emergency or serious threat to the health and safety of students or staff.

## STUDENT RECORDS

Upon receiving a records request from a receiving school/school district, ACLC shall transfer a copy of the student's complete cumulative record within ten (10) school days in accordance with Education Code section 49068. ACLC 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 ACLC closes, ACLC shall comply with the student records transfer provisions in Element 16. ACLC shall comply with the requirements of Education Code section 49060 et seq., regarding rights to access student records and transfer of records for youth in foster care.

ACLC acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including ACLC to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at ACLC and of the District. ACLC further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that ACLC does not have that ACLC needs in order to meet its obligations, the District shall provide the same to ACLC in a reasonably timely manner upon request under Education Code section 47604.3.

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

ACLC in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any such inquiries. ACLC acknowledges that it is subject to audit by AUSD if AUSD seeks an audit of ACLC it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by ACLC, by law, or charter provisions.

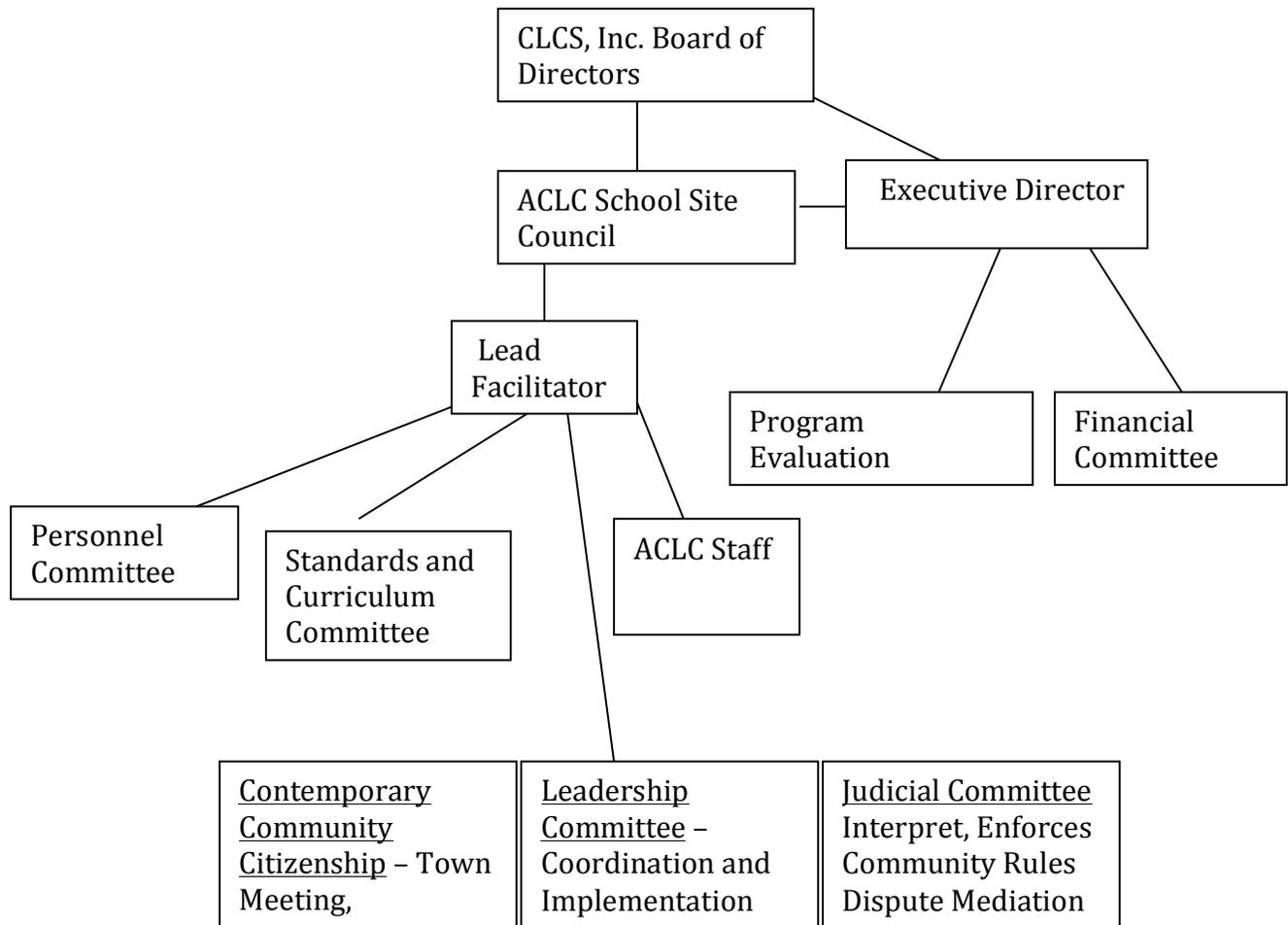
Members of ACLC's Governing Board, any administrators, managers or employees, and any other committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and AUSD's Charter School policies and regulations and applicable State and federal law regarding ethics and conflicts of interest so long as such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.

ACLCL and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school.

To the extent that ACLCL is a recipient of federal funds, including federal Title I, Part A funds, ACLCL has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the Every Student Succeeds Act (ESSA) and other applicable federal grant programs. ACLCL agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of ESSA and other applicable federal programs. ACLCL also understands that as part of its oversight of the school, the Office of Charter Schools may conduct program review of federal and state compliance issues.

CLCS has found that structuring governance so that community members actively participate develops Learners and engages parents, resulting in a stronger community. The following structure maintains overall control, while delegating segment responsibility to people involved in the activities.

***ACLCL Charter School Governance Structure***



ACLCL will comply with the District policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.

The Community Learning Center Schools, Inc. Board of Directors is the senior governing authority for ACLCL. The CLCS Board of Directors has the following responsibilities:

- To ensure alignment of ACLCL with its mission and vision
- To monitor student performance
- To approve the strategic and long-term plans of ACLCL
- To approve all policies
- To ensure that all internal controls are effective
- To provide fiduciary oversight, including receipt of ongoing financial reports
- To approve budget and contracts (including MOU, charter revisions, etc.)
- To supervise the audit process and secure audit report approval
- To serve as the final authority on expulsions, personnel firing decisions, and legal actions.
- To serve as the appeal board for any ACLCL Governing Board recommended expulsions.
- To be responsible for any official interactions with AUSD and state, including the approval of funding applications and reports.
- To serve as the employer of all ACLCL staff and to approve employee contracts, pay schedules, benefits, and other employee financial transactions.
- To serve as a review board, as approved by board policy, related to employee dismissal.

ACLCL shall be operated by CLCS, Inc., a California non-profit public benefit corporation with 501(c)(3) status that was granted in 2006. The CLCS Board of Directors' biographies are listed in Appendix O and the Articles of Incorporation are attached in Appendix N. The CLCS Board of Directors is made up of community business and educational leaders. The CLCS Board of Directors will oversee the work of the ACLCL School Site Council. The school is operated as an independent charter school and is directly funded. CLCS is a "separate legal entity" for the purposes of liability for the debts and obligations of the charter school. Current CLCS Board of Directors biographies and qualifications are available on our website ([www.clcschools.org](http://www.clcschools.org)) along with all board policies related to "Conflict of Interest".

ACLCL's method of governance substantially incorporates the Learners, families and Facilitators in a broad array of organizational functions – legislative, judicial and executive. This approach is totally congruent with the ACLCL philosophy that the learning is experiential and incorporates not only the content but the process of the learning environment.

### **The ACLCL School Site Council**

The ACLCL School Site Council will operate under the authority granted to it by the CLCS Board of Directors. [Parents, Learners and Facilitators are all empowered at every level of ACLCL](#)

governance as members of the school-site council, and all of the major committees (i.e., Finance, Personnel, Curriculum and Standards, Assessment and Accountability and School Culture).

## **ACLCL School Site Council**

### Members

- 2 Alameda Community Members
- 4 Facilitators (including the ACLCL Lead Facilitators)
- 2 Learners
- 2 Parents

ACLCL's School Site Council acts as an advisory Board to ACLCL. It is charged with development and oversight of policy, budget recommendation, organizational development, strategic planning, curriculum, program evaluation, and maintaining ACLCL's vision and mission. All of this is reviewed and subject to the CLCS Board of Directors' approval. The School Site Council is comprised of four Facilitators (the two Lead Facilitators and two other Facilitators determined by the Lead Facilitator staff), two elected Learners from the whole 6-12 body of Learners (serving one-year terms), two parents who are selected to the following year's Council, and serve alternating two year terms. Two members from the community, who each serve two-year terms (with the possibility of renewal). The CLCS Executive Director attends the meetings and acts as the communications link between the CLCS Board of Directors, the ACLCL School Site Council, and the AUSD Board of Education.

The ACLCL School Site Council is carefully designed to empower all stakeholders, parents, Learners, Facilitators, and community members, such that no individual group can create policy for the school without other groups supporting the policy.

ACLCL promotes effective communication between parents and the Facilitators, Lead Facilitator, and counselors by involving parents at all levels of the school's governance. Two parent representatives serve on the ACLCL School Site Council, which is responsible for all major policy decisions related to the school. Parents also serve on the Financial, Assessment and Accountability, Curriculum, and Personnel Committees.

### **School Site Council Scope of Responsibility**

The School Site Council meets monthly, or more often as needed, and is charged with overall policy-making affecting all areas of ACLCL. The CLCS Board delegates to the School Site Council decisions related to the following issues:

- Graduation Standards, as long as they meet minimum AUSD standards
- Budget proposals subject to CLCS approval
- Strategic planning for ACLCL academic program subject to CLCS approval
- Day-to-day facilities issues

Parents, Facilitators, Learners, and community members all play a role in representing their respective stakeholder groups on major school policies and make recommendations to the CLCS

Board based on the best interest of the school. The School Site Council uses school data to establish, evaluate, and improve the educational program and school policies. Data includes, but is not limited to, test scores and parent, Learner, and Facilitator satisfaction surveys.

The Lead Facilitator works with the Leadership Committee Facilitator to oversee the three Learner bodies that are charged with the primary functions of governance: legislation (Contemporary Community Citizenship); judicial (Judicial Committee); and executive (Leadership). These bodies are vested with authority, and provide the venue for youth empowerment and leadership within the school

### **ACLCL Committees Overseen by Lead Facilitator and CLCS Executive Director**

#### *Financial Committee*

Each year the CLCS Executive Director convenes and chairs an ACLCL Financial Committee whose membership is constructed to include parents, Facilitators and Learners. The committee works to develop the budget, monitor the budget and monitor other financial activities under the direction of the Executive Director. Each month the Financial Committee makes a report to the CLCS Board of Directors and ACLCL School Site Council, making financial recommendations as necessary. The Executive Director is responsible for setting up a purchase order system for all purchases with EdTec, ACLCL's business services management organization. Internal financial controls are well-established.

#### *Program Evaluation Committee*

Each year the CLCS Executive Director consults with the Facilitators and appoints another Facilitator to chair the ACLCL Program Evaluation Committee and supervise their work. The Program Evaluation committee membership is constructed so that there are parent, Learner, and Facilitator representatives. The committee works to develop the Annual Report, WASC accreditation report, and conduct the annual parent and Learner surveys. Each month the Program Evaluation Committee makes a report to the Governing Board and make recommendations as necessary.

#### *Personnel Committee*

Each year the Lead Facilitator convenes and chairs a Personnel Committee whose membership is constructed so that there are parent, Learner, and Facilitator representatives. The committee conducts the annual Learner survey to evaluate staff and this information is considered during yearly Facilitator evaluations. Under the direction of the Lead Facilitator, the Personnel Committee conducts personnel interviews as directed by CLCS Board policy on hiring. Under the direction of the Lead Facilitator, the Personnel Committee carries out the personnel evaluation agreement.

#### *Curriculum and Standards Committee*

Each year the Lead Facilitator consults with the Facilitators and appoints another Facilitator to chair the Curriculum and Standards Committee and supervises its work. The Curriculum and Standards Committee membership is constructed so that there are parent, Learner, and Facilitator representatives. The committee collects and documents all course outlines for compliance with

California State University standards and UC a-g requirements. They also do appropriate WASC work and evaluate new courses before being submitted to the board for approval. Each month the Curriculum and Standards Committee makes a report to the Governing Board and make recommendations as necessary.

The Financial Committee, Personnel Committee, Curriculum and Standards Committee, and Program Evaluation Committee all operate under the oversight of the Lead Facilitator and CLCS Executive Director. The committees make recommendations on policy that are reviewed and approved by the ACLC School Site Council.

### **Contemporary Community Citizenship (CCC)**

The CCC is comprised of the entire community of Learners. The CCC elects the two Learners to the ACLC School Site Council. Learners at ACLC are not passive bystanders; they are integrated into the highest levels of decision making.

The ACLC CCC meets weekly and is charged with being the primary communication matrix of the school. This means that the entire group of Learners is regularly present and is provided an opportunity to discuss ongoing issues of importance to the school – from issues as mundane as noise levels and cleanliness to issues such as how money is spent in the educational program. In addition to these communication and process issues, the CCC is responsible for legislative action – that is, for making, discussing and voting on formal proposals that relate to the daily operations of the school. This includes the creation and amendment of the Rule Book – that is, the document which clarifies the rules and code of conduct for the entire ACLC community, including Learners, Facilitators, parents, and community visitors. Many of these actions may be within the purview of the CCC and will not require any review or approval by the School Site Council. However, issues which reflect a change in basic mission, philosophy, budget and personnel matters will require review and approval by the CLCS Board of Directors before they take effect.

It is important to note that, although some actions of the CCC may require the approval of other bodies, the bulk of the decision-making processes related to self-management is in the hands of the community of Learners. In this way the Learners of ACLC are being empowered to establish the operational rules of their learning community and to make decisions about the use of some resources (e.g., purchase of specific equipment, use of funding for field trips, etc.) that are within the purview of the learning community. The CCC also conducts annual surveys that evaluate the Facilitators, the academic program, the Leadership Committee and the operation of the school and makes recommendations for change in operational practices. The CCC is the focus for the annual Learner Convention, an opportunity for the entire community to review the operations of the year and make changes to the ACLC Rulebook.

### **Judicial Committee (Learner Disciplinary Policies)**

The Judicial Committee (JC) for students in grades 6-12 is comprised of five Learners who are elected by the Learners and one Facilitator elected by his/her peers. They meet four times each week to consider issues related to infringement of rules codified in the Rule Book. The Rule

Book has been developed by the ACLC CCC during the past fourteen years and will serve as the foundation document for ACLC, to be revised and updated on a regular basis by the ACLC CCC (base document, ACLC rulebook, included in Appendix D). The Judicial Committee is responsible for enforcing the rules of the school by hearing cases submitted by Learners and Facilitators and deciding on appropriate consequences to specific actions. The JC also mediates disputes and assists parties who are engaged in some type of conflict to find common ground so that they can move forward in a cooperative manner. This role is particularly important since, generally, after some form of dispute the parties will remain in the same learning community and will interact regularly in some way.

The JC is a particularly important part of the governance of the school since it places the responsibility for self-management clearly with the Learners.

### **Leadership Committee**

The Leadership Committee is a class in which students in grades 6-12 may enroll that takes on the executive functions of the community of Learners. ACLC will seek to have 25-40 of our Learners involved in the Leadership Committee.

This group will meet three times each week and work very closely with the leadership Facilitator who is appointed by the ACLC Lead Facilitator. Leadership is primarily charged with implementing proposals passed by the CCC. This may include codifying recommended changes in the Rule Book, promulgating and enforcing rules in the community, coordinating center activities, supporting the smooth operation of day-to-day affairs of the community, and coordinating and facilitating the annual Learner Convention. Many functions such as coordinating field trips, CCC meetings, notification of scheduling changes, and other facilitative and communication roles are best accomplished by Leadership because they provide opportunities for students to engage in self-management and organization of their own learning community.

Leadership in many ways gives Learners extensive experience in management and facilitation of operations and mitigates the necessity of hiring support staff to perform these functions. This maintains operations of the school on a cost-effective basis and provides meaningful roles and experience for Learners. This is one of the many ways in which ACLC Charter will use its resources to better accomplish learning objectives and to empower Learners.

### **Day-to-Day Operational Governance**

The ACLC Lead Facilitator is responsible for the day-to-day operation of the school and makes all necessary decisions to provide a safe and constructive learning environment. As an educational leader, the Lead Facilitator seeks to empower the Learners to take control of their educational experience through the Contemporary Community Citizenship class, the Leadership class, and the Judicial Committee.

The governance of ACLC is uniquely constituted to maximize the role of the Learners in self-management and governance at the 6-12 level. We deeply involve Learners in governance

because our school is comprised of students who reach that time in their lives when self-determination within a guiding system of law and community relationships is much more important to learn than a system that is devised and imposed by adults – whether they be parents or educators.

However, because no community has full self-determination and must be subjected to the laws of the broader community – whether that be state, national or international law – we make sure that our Learners understand that their self-determination, while real, is limited by the regulations and laws that govern the larger community of which we are part.

### **Decision-making Process**

ACLCLC will work to achieve consensus in making decisions. However, if consensus is not possible in a reasonable timeframe, the various decision-making groups will vote and a simple majority will rule unless otherwise specified by this Charter or through Bylaws adopted by the CLCS Governing Board. This procedure can be modified in the future as determined by the CLCS Governing Board.

### **Parent Participation**

ACLCLC will promote effective communication between parents and Facilitators, the Lead Facilitator, and counselors by involving parents in two parent driven organizations, the Creative Community Education Foundation and the Parent Asset Committee. Parent involvement will be crucial to the operation of ACLCLC. In 2001, the ACLCLC parent community created a 501(c)(3), the Creative Community Education Foundation (CCEF), to support the vision of ACLCLC. The CCEF will welcome parents from ACLCLC and work to support and fundraise for ACLCLC. Also, parents will serve on the school's Governing Board, governing committees, the CCEF Board of Directors, and the Parent Asset Committee (PAC). A new PAC will be formed specifically for ACLCLC to organize the parents to provide leadership for lunch programs, new parent mentoring, volunteer tutoring, planning the graduation event, support for sports teams and other extracurricular activities and field trip programs. Parents will also serve on the WASC Focus on Learning Committees.

Additionally, the school will hold an annual Parent Convention to solicit parent voice and input. Families of experienced Learners at ACLCLC will offer mentoring to new Learner families and a variety of parent taught or sponsored courses and workshops will be offered after school, such as UC college application workshops, art enrichment programs, etc. Parents will also assist in lunchtime supervision so that the ACLCLC community room may remain open throughout the day. Parents will convene regularly in both formal and informal meetings to share information and discuss their Learners' progress toward achieving the ACLCLC vision.

ACLCLC acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including ACLCLC to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at ACLCLC and of the District. ACLCLC further acknowledges that it has the obligation to provide all of such

information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that ACLC does not have that ACLC needs in order to meet its obligations, the District shall provide the same to ACLC in a reasonably timely manner upon request.

ACLC, in accordance with Education Code § 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any such inquiries. ACLC acknowledges that it is subject to audit by AUSD if AUSD seeks an audit of ACLC, it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by ACLC by law or charter provisions.

Members of ACLC's Governing Board, any administrators, managers or employees, and any other committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and AUSD's Charter School policies and regulations regarding ethics and conflicts of interest so long as such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.

ACLC and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school.

## **ELEMENT E: EMPLOYEE QUALIFICATIONS**

*Governing Law: "The qualifications to be met by individuals to be employed by the school."  
Education Code § 47605(b)(5)(E).*

### **EQUAL EMPLOYMENT OPPORTUNITY**

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

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

ACLC shall adhere to all State and federal requirements that are applicable to teachers and paraprofessional employees. ACLC shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(l). ACLC shall maintain current copies of all teacher credentials and make them readily available for inspection.

### **OBLIGATION TO REPORT TO CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

ACLC shall comply with Education Code section 44030.5 with respect to reporting the change in employment status to the California Commission on Teacher Credentialing where the change of employment status is a result of an allegation of misconduct, or while an allegation of misconduct is pending, and with Education Code section 44939.5 regarding the reporting of egregious misconduct.

### **EMPLOYMENT OF FELONS**

ACLC shall comply with the provisions of Education Code section 44830.1 and 45122.1 with respect to the employment of persons convicted of violent or serious felonies.

ACLC has a comprehensive plan for faculty recruitment, hiring and retention of highly qualified teachers with subject area knowledge that will support Learner achievement and collaborative learning for all Learners.

## **Hiring Plan**

ACLCLC has hired fully credentialed Facilitators in our core subject areas, in addition to instructional support staff who possess subject matter expertise and qualifications necessary to help our program succeed. Instructional support staff include two full-time counselors, part-time reading intervention specialist, contracted school psychologist, and 3 resource specialists. In addition to attracting talented personnel in the immediate Alameda area, ACLCLC contacts regional graduate schools of education (e.g., UC Berkeley, Mills College, CSUEB) to publicize ACLCLC among new and experienced educators. We also seek staff through teacher recruitment fairs, EdJoin, through our website, and by advertising to teachers in neighboring communities.

Under the direction of the Lead Facilitator, the ACLCLC Personnel Committee conducts personnel interviews according to the CLCS Board hiring policy. The committee based on appropriate skill match and experience level recommends classified staff for hiring. All certificated and classified personnel with the exception of Administration are hired under the terms of our Union Collective Bargaining Unit. Facilitators are certificated teachers for the purposes of teaching the core, college preparatory curriculum of ACLCLC. The ACLCLC Personnel Committee also seeks to recruit Facilitators that share the values and educational philosophy of the ACLCLC community. The ACLCLC Personnel Committee recommends for hire Facilitators who meet California state teaching requirements and are profession-ready. The CLCS Executive Director has authority in all personnel decisions, subject to final approval by the CLCS Board of Directors as needed.

CLCS, including ACLCLC and Nea Community Learning Centers, is a union organization.

CLCS is an equal opportunity employer. CLCS prohibits discrimination against and harassment of any employee or any applicant for employment because of race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression, veteran status or any other characteristic protected under applicable federal or state law. All personnel who are responsible for hiring and promoting employees and for the development and implementation of CLCS programs or activities are charged to support this effort and to respond promptly and appropriately to any concerns that are brought to their attention.

### *Teachers / Facilitators*

CLCS employs Facilitator staff holding appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing. These Facilitators teach the “core” academic and college preparatory classes of mathematics, language arts, science, history /social studies. These Facilitators are responsible for overseeing the Learners’ academic progress and for monitoring grading and matriculation decisions as specified in the school’s operation policies.

The school provides access to new Facilitator support towards obtaining professional clear credentials, if necessary. The Chief Operating Officer is responsible for handling credential checking and other personnel matters. No other charter school staff (e.g., counselors, librarians, administrators, and others) are required to hold credentials.

All employees are subject to state and federal employment laws. Applicants to teach in our program will be evaluated based on the following qualifications:

- Demonstrated expertise in subject area and the ability to communicate the appropriate knowledge to each student.
- Possession of an EL Authorization/CLAD Certificate.
- Knowledge and experience with standards-based instruction: ability to align curriculum and standards and willingness to adopt grading practices that can be used in standards-based grading.
- Knowledge of assessment strategies and the ability to use data to drive their teaching and ensure continuous improvement of student learning.
- Ability to effectively use a broad range of instructional strategies, including providing a guaranteed curriculum, challenging goals and effective feedback, differentiated instruction, and back mapping, among others.
- Demonstrated competence using advanced technology as a learning tool: willing and able to integrate technology into teaching and student learning.
- Outstanding classroom management skills.
- Belief in our mission that all students will learn and successfully master the content and skills necessary for advanced post-secondary education.
- Willingness to work as a vital part of the ACLC team to ensure continuous improvement for students, staff and ACLC community as a whole.
- Willingness and ability to work with students and parents on an ongoing basis to ensure student success.
- Love of students, enthusiasm for teaching, the belief that each student can and will succeed and the willingness to do what it takes to make that happen.
- Desire and ability to engage in continuing education, staff development and skill upgrading.
- Positive references from most recent employment and/or college or graduate school.
- CLCS may also employ or retain non-certificated instructional support staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the capacity to work successfully in an instructional capacity. Instructional support staff will not assign grades or approve student work assignments without the approval of a teacher/Facilitator unless they are instructing non-core or non-college preparatory courses and activities.

#### *General Requirements, Hiring and Performance Review*

All requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials, as necessary. All employees of the school (administrative, instructional, instructional support, non-instructional support) shall meet CLCS's fingerprinting and TB qualifications for employment to ensure the health, and safety of the school's faculty, staff, and pupils. Prior to employment and within thirty (30) days of hiring, each employee will submit to a criminal background check as required by Education Code §44237. CLCS will adhere to California laws including fingerprinting and prohibitions regarding the employment of persons who have been convicted of a violent or serious felony. Each employee must furnish proof of tuberculosis (TB) testing, as well as documents establishing legal employment status.

The Executive Director and/or administrative designee will be responsible for monitoring and maintaining documentation of criminal investigation clearances, as required by California and federal laws. Those employees that require a criminal background check and do not have a current background check will be required to undergo a check through such services as a LiveScan fingerprint process. CLCS will pay for LiveScan services on behalf of its prospective employees. These services will occur where the LiveScan service is offered, which may be located at district, county or local college facilities.

The Lead Facilitators have the authority to recruit and interview candidates along with the Personnel Committee members, and make recommendations to the Executive Director for hiring Facilitators, according to CLCS Board Policy. The Lead Facilitators have the responsibility for evaluating the performance of Facilitators, counselors, and office manager on a yearly basis. The Executive Director and the CLCS Governing Board has the right, if they so choose, to review these performance evaluations before they are delivered to the staff members. The criteria by which to judge the performance of these employees is negotiated and authorized by CLCS and the Nea and Alameda Union (NAU). The Executive Director creates the job descriptions and conducts the performance reviews of the Lead Facilitators. The CLCS Governing Board creates the job description and reviews the performance of the Executive Director, both on a year-end basis.

## **ELEMENT F: PROCEDURES TO ENSURE THE HEALTH AND SAFETY OF PUPILS AND STAFF**

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

### **HEALTH, SAFETY AND EMERGENCY PLAN**

ACLC shall have a comprehensive site-specific Health, Safety and Emergency Plan, including but not limited to the acquisition and maintenance of adequate onsite emergency supplies, in place prior to beginning operation of ACLC each school year.

ACLC shall ensure that all staff members receive annual training on ACLC's health, safety, and emergency procedures, including but not limited to training on blood borne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff.

ACLC shall provide all employees, and other persons working on behalf of ACLC 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).

ACLC shall stock and maintain the required number and type of emergency epinephrine auto-injectors onsite and provide training to employee volunteers in the storage and use of the epinephrine auto-injector as required by SB 1266 (2014).

ACLC shall comply with the requirements of Education Code section 49475 regarding concussions/head injuries with respect to any athletic program (as defined in Education Code § 49475) offered by or on behalf of ACLC.

ACLC shall periodically review, and update and/or modify as necessary, its Health, Safety and Emergency Plan, and keep it readily available for use and review upon CSD request.

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

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

### **CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING**

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

ACLC shall maintain on file and available for inspection evidence that (1) ACLC has performed criminal background checks and cleared for employment all employees prior to employment; (2) ACLC 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) ACLC has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. ACLC 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, ACLC shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records.

ACLC shall comply with the requirements set forth in Education Code section 44939.5 regarding the reporting of egregious misconduct committed by certificated employees.

#### IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS

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

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

#### SAFE PLACE TO LEARN ACT

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

#### COMPETITIVE ATHLETICS

ACLC shall comply with the requirements of Education Code section 221.9 with respect to the disclosure requirements regarding competitive athletics, and shall comply with the requirements of Education Code section 33479.1 et seq. with respect to any athletic program that it offers, as well as Education Code section 49475 et seq. with respect to institution of a concussion protocol.

#### GUN-FREE SCHOOLS ACT

ACLC shall comply with the federal Gun-Free Schools Act.

## TOBACCO USE PREVENTION

ACLC shall enact policies to prohibit the use of Tobacco near its school site in accordance with the provisions of California Health and Safety Code section 104495.”

## SUICIDE PREVENTION POLICY (GRADES 7-12)

ACLC shall adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in Grades 7 through 12 inclusive, pursuant to Education Code section 215.

## TRANSPORTATION

ACLC shall meet the requirements of Education Code section 39831.3 with respect to any transportation services provided to or from school or a school activity.

## DATA PRIVACY

ACLC shall take the required steps to protect the data privacy of its pupils, including but not limited to complying with the requirements of Education Code section 49073.6 with respect to any maintenance of any information obtained from social media in its pupil records.

## OTHER REQUIREMENTS

Charter School shall comply with the requirements of Education Code section 33133.5 with respect to notifying pupils of the appropriate telephone number to call to report child abuse or neglect, and Education Code section 51900.6 with respect to the age-appropriate content in sexual abuse and sexual assault awareness and prevention.

ACLC has its own Safety Plan for fire, earthquake, and harmful intruders (lockdown drills). ACLC staff receive training on emergency and first aid response as per the state standards and training programs.

There are a number of areas of school operation that are germane to ensuring the health and safety of the learning community, including staff. These areas are:

- Behavioral rules, compliance and enforcement procedures.
- Safety including hygiene, fire safety, physical obstacles, and chemical, electrical or other risks due to the instructional program activities.
- Risks to Learners due to extensive community, workplace, and other off-site activities pursuant to individual learning objectives.

- Risks to Learners due to harassment of a sexual or discriminatory nature based on race, ethnicity, national origin, disability, religion, gender, sexual orientation, or other protected classification.
- Immunization and medical screening requirements to reduce health risks.
- Criminal record checks for all employees and volunteers.
- The Chief Operating Officer of CLCS conducts criminal background checks on employee candidates, as required by Education Code 44830.1 and 45122.1, and ensures that ACLC does not hire any person who has been convicted of a violent or serious felony.
- There are health checks for all employees pursuant to state law and district personnel policies, where applicable, such as TB.
- ACLC's facilities meet state and local building codes, except where exempt
- ACLC's facilities meet federal requirements, including the Americans with Disabilities Act.
- ACLC complies with all state and federal laws regarding food safety and environmental protection.
- ACLC complies with all state and federal laws designed to protect children, including but not limited to, the proper administration of medication to students in schools and the reporting of child abuse.
- ACLC screens Learners' vision and hearing, and for scoliosis to the same extent as would be required of the pupils attended a non-charter public school.

### **Behavioral Issues**

ACLC is a self-governing, Learner-operated community with respect to Learner behavior. In many ways this constitutes a strength that supports student safety since the Learners establish the rules of the community and are therefore very conscious of the impact of their behavior on the entire community. Certainly, Facilitators, as the adults responsible for overall safety of the program, take strong action as necessary in the case of an emergency or unsafe situation. However, the Learner community and Facilitators have created the ACLC Rule Book and share the responsibility for creating and maintaining a safe community through the Judicial Committee. [Staff and administration follow ACLC procedures outlined for dangerous pupils.](#)

[ACLC follows the AUSD behavior matrix as its tiered discipline system. In addition, ACLC has fully adopted both restorative justice and PBIS \(positive behavior intervention support\) programs in order to better serve the needs of Learners. This has resulted in a large shift in the types of conversation amongst Learners/Facilitators/Administration/Parents and the way in which consequences are decided and carried out. This shift emphasizes Learners reflecting on their](#)

action, and provides the structure for Learners to assess how their action(s) caused harm, jeopardized the needs of the school community, and how all invested parties can work together to address and repair what has been harmed. This process allows for open dialogue, transparent accountability, opportunity for growth, and the process is collaborative; that is, even the “offender” is an equal participant in this process, an equal stakeholder, this person is not ostracized or merely received top-down consequences.

## **Facilities Safety**

The learning community is also partially self-regulating with respect to physical safety issues. The ACLC campus is subject to the regular inspection of the local fire marshal and is maintained in compliance with Education Code and Health and Safety Code.

Beyond these basic safeguards, the internal furnishings, equipment and risk management is the responsibility of the entire learning community as represented by the CCC and, ultimately, the Governing Board. Learners and Facilitators are responsible for identifying any obstacles or other risk factors that should be addressed to reduce hazardous conditions in the learning environment. Leadership is then responsible to ensure that corrective measures are implemented in a timely manner to mitigate risks.

ACLC occupies facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

If ACLC moves or expands to another facility during the term of this charter, ACLC shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code § 47610, to the District for each facility at least 30 days before school is scheduled to begin operations in the facility or facilities. ACLC shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Director of Educational Options and/or the local planning department or equivalent agency.

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.

## **Community Risk**

By the nature of the educational program at ACLC, Learners will be engaged in a wide array of activities outside the confines of the physical location of the school. Learners will be attending community college, engaging in work-based learning opportunities, meeting with mentors, conducting action research projects in the community settings, taking field trips to museums, courts, governmental offices, and many other locations. In the course of this process, Learners will be exposed to risks that are not typically associated with school operations where Learners are largely contained on a school campus.

In order to minimize these risks, the following procedures will be strictly enforced:

- Volunteers and mentors will be carefully screened by the Facilitators and Leadership prior to being authorized for student engagement. Volunteers and mentors who spend time with students outside of the direct supervision of a teacher will be fingerprinted and will go through a formal screening process. However, one-time, on-campus volunteers who are engaged to speak to groups of students about a particular topic and who are not alone with students at any time during such a process will be exempted from this screening process.
- Work-based learning opportunities will also be carefully reviewed to ensure that Learners will be safe. Parent permission is required before Learners are allowed to engage in off-site contact with adults unless this is a one-time only visit that is done in a group and supervised by Facilitators.
- Field trips will be reviewed by the ACLC Lead Facilitator for approval. Participation in field trips must be authorized by parents.

### **Sexual Harassment and Discrimination**

ACLC abides by state and federal guidelines regarding sexual harassment. (See appendices)

ACLC Learners and staff are protected from harassment and discrimination (Appendices) based on all protected classes. ACLC shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). This protection again is guaranteed in the ACLC Rule Book. (Appendix C). The fact that these rules have been developed, promulgated and enforced by Learner-led committees during the past fourteen years at the ACLC gives us great confidence that they will be enforced effectively for mutual safety in the future. We believe this Learner-led approach will make the ACLC by far safer for students than the ambient environment of the high school in which enforcement is the responsibility of adults. At ACLC the Learners will create, review, revise, and enforce these rules to the extent that there is true Learner buy-in to these rules.

### **Health**

All ACLC Learners are subjected to the health screening requirements of the State of California. Learners are not admitted to the school without meeting immunization or screening requirements. ACLC requires immunization of Learners as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.

ACLC provides for the screening of Learners' vision and hearing and the screening of Learners for scoliosis and shall provide information regarding type 2 diabetes to the same extent as would be required if the Learners attended a non-charter public school.

In addition to these basic requirements, the learning community provides health information that relates to issues of adolescent health such as drug and alcohol use, tobacco use, sexuality and pregnancy prevention, sexually transmitted disease, exercise and nutrition, and a variety of other issues.

All ACLC facilities are and will remain non-smoking areas, and are and will remain drug-free and alcohol-free.

The examination of faculty, staff, and volunteers for tuberculosis as described in Education Code § 49406 will take place regularly as per state law.

### **Role of Staff as Mandated Child Abuse Reporters**

All non-certificated and certificated staff are mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

### **Medication in School**

ACLC adheres to Education Code §49423 regarding administration of medication in school. ACLC's policy related to the administration of prescription medication, including insulin shots, has been provided as ACLC's "Administration of Medications, Emergencies and Head Lice Policy."

### **Blood Borne Pathogens**

ACLC shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board has established 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.

### **Criminal Record Check**

All ACLC employees, other contracted instructors, and volunteers will be screened as per state and AUSD regulation and procedures as specified in Education Code § 44237. Each employee of the school shall furnish the school with a criminal record summary as described in Education Code § 44237. CLCS Executive Director Annalisa Moore shall check each LiveScan report to make sure that the charter school doesn't not hire any person who has been convicted of a violent or serious felony. No volunteers will be allowed to serve at the school if they have been convicted of a violent or serious felony.

### **Other Safety Concerns**

ACLCL follows AUSD safety plan procedures and systems and collaborates with AUSD, the Alameda Fire Department and Alameda Police Department.

ACLCL shall comply with all federal and state laws regarding food safety and environmental protection.

## ACLCL's Safety Plan and Disaster Preparedness Plan

### Disaster Plan

The intent of this plan is to clarify school procedures in the case of an emergency. The objectives of our plan are the following:

1. To provide for action which will minimize injuries and loss of life of Learners and school and emergency personnel if an emergency occurs during school hours;
2. To provide for maximum use of school personnel and school facilities;
3. To ensure the safety and protection of our Learners and school personnel immediately after a disaster;
4. To arrange for a calm and efficient plan for parents to retrieve their children from school, should it be necessary, following a disaster.

To meet these objectives, in the event a disaster should occur when children are at school, the following action plan would be implemented.

#### Facilitators Will:

1. Give "duck, cover and hold" instructions in event of earthquake.
2. Evacuate building in case of fire or after an earthquake
  - Take emergency folder and duffel bag and evacuate Learners to assigned area.
  - Take first aid kit and duffel bag only when evacuating after an earthquake.
  - Hold Learners in assigned yard area, take role, and wait for further instructions from authorized school or emergency personnel.
  - Remain with class and report anyone who is missing.
  - Take appropriate first aid action.
  - Refrain from re-entering buildings until deemed safe.
3. Dismiss Learners to go home only to parent or responsible adult designated on child's emergency release form. Child must be signed out by parent or a responsible adult.

#### Lead Facilitator Will:

1. In the event of a fire, shut off gas, electricity and water (in that order).
2. In the event of an earthquake, if gas is smelled, turn off gas; if there is an electrical problem, turn off electricity; if there are water leaks, turn off water.
3. Inspect buildings for damage.
4. Set up and coordinate a first aid center.

#### Lead Facilitator Will:

1. Assign available adults to tasks as needed.

2. Decide if evacuation to a designated shelter is necessary.

School Office Manager Will:

1. If telephones are operable:
  - Notify the police department and/or fire department.
  - Monitor incoming phone calls.
2. Maintain communication with staff and outside agencies.

Special Information for Parents

*Telephones/Communications*

In the event of an earthquake, flood or other natural disaster, the school will advise parents to keep radios tuned to the local radio station for advisory information. Parents will be advised not call the school to keep the lines open for emergency calls.

*Dismissal*

Should there be a major earthquake, children will remain under the supervision of school authorities until parents or responsible adults can pick them up.

*Learner Release Procedure*

1. Go directly to the entrance of the school or evacuation area.
2. Inform Facilitator, aide or adult responsible for that classroom that you are taking the child from the class line.
3. Proceed with child back to Learner Release Tables just outside the school entrance to sign a Learner Release form for each child you are taking. Do not remove your child or any other child from school without signing the emergency release form. This provides us a record of where each child is when someone else arrives later looking for the child.
4. Unless you are staying to volunteer, please leave as quickly as possible after signing out your child.
5. Adults will be needed to help with first aid, dismissing Learners, helping with classes, monitoring traffic, etc. If you are able to volunteer to help, go directly to the Command Center where the Volunteer coordinator will give you an assignment. Volunteers should leave children with their classes and not sign Learner release form until they are ready to leave.

*If You Can't Get to the School*

Should a major disaster occur, it is likely that many parents will not be able to reach the school right away. If conditions make it necessary, we will release your child to the adult indicated on your child's Emergency Release form. We will keep a written record of the child and the adult to whom the child has been released. The school Lead Facilitator or Facilitator in charge will determine the need to leave the building. In the event the building cannot be reoccupied or if a

fire requires evacuation of the school, the Learners will be transferred to the nearest available safe shelter. If the children are caught in a disaster between home and school, it is recommended that they go immediately to school.

#### *Food and Water*

In the event that children would need to remain on campus for several hours after any sort of a disaster, there will be a supply of fresh water and limited food, in the school earthquake kit.

#### *Fire Drills and Evacuation*

In the case of fire at the school, the school will be immediately evacuated according to the floor plan set forth at the beginning of each school year. Facilitators are required to keep a Learner roster with them at all times, checking attendance immediately after evacuation. Fire drills will be conducted at least once per year with the evacuation of the local fire department.

#### *Bomb Threats*

In the case of a bomb threat at the school, the school will be immediately evacuated according to the fire evacuation plan; appropriate emergency personnel will be summoned. Learners and Facilitators will not re-enter the building until it has been deemed safe by emergency personnel.

### **Other Procedures to Ensure the Health and Safety of Pupils and Staff**

[ACLCLC follows AUSD safety plan procedures and systems and collaborates with AUSD, the Alameda Fire Department and Alameda Police Department. This school safety plan is reviewed and updated by March 1<sup>st</sup> of each year.](#)

ACLCLC complies with all health and safety laws and regulations that apply to non-charter public schools as required by charter and state law, including those required by USDA, CAL/OSHA, etc.

CLCS/ACLCLC will contract with either District or a third party for nursing services for special education Learners who require an Individual Health Care Plan (IHCP). An IHCP is part of a Learner's IEP. The IHCP must be developed when needed, and updated at the beginning of each school year.

ACLCLC shall comply with state and federal laws regarding environmental protection.

## **ELEMENT G: METHOD FOR ACHIEVING RACIAL AND ETHNIC BALANCE**

*Governing Law: “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 district to which the charter petition is submitted.” Education Code § 47605(b)(5)(G).*

In order to ensure a fair enrollment policy and a demographically diverse student body reflective of the District’s resident diversity, ACLC has an aggressive outreach and marketing plan that has been implemented and will continue to be implemented prior to a random lottery for admission to the school.

ACLC regularly conducts the following outreach to attract an ethnically diverse group of applicants:

1. Run several newspapers ads in both the Alameda Journal and the Alameda Sun to advertise its information nights in English, Spanish, Tagalog, and Chinese.
2. Conducted parent information nights to answer questions and inform parents and Learners about school openings.
3. Mailed its enrollment information to all prospective Learners in grades 6-11 using district-provided mailing lists.

ACLC representatives will yearly do the following prior to holding community recruitment meetings:

1. Run newspapers ads in multiple languages in local newspapers to advertise its information nights.
2. Conduct parent information nights to answer questions and inform parents and Learners about the school openings.
3. Hang advertising door hangers on residences.
4. Send ACLC information materials to all Alameda families using district-provided mailing lists.
5. Post its information night advertisements in multiple languages throughout diverse neighborhoods in churches, Boys and Girls Clubs, community meeting spaces, shopping malls, etc.
6. ACLC will seek out community leaders to get advice on how to reach all families in Alameda to get them to attend information nights before the random lottery.

ACLC monitors and adjusts its outreach plan each year if the ethnicity goals are not met. If necessary, it will hire a community consultant to get advice on how to improve its outreach plan to achieve the resident ethnicity goals of AUSD.

## **ELEMENT H: ADMISSION REQUIREMENTS**

*Governing Law: "Admission policies and procedures, consistent with subdivision (d)." Education Code § 47605(b)(5)(H).*

As part of the Fall Information Update, Charter School will notify the District in writing of the application deadline and proposed lottery date. Charter School will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.

### **NON-DISCRIMINATION**

AUSD 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. ACLC 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.

ACLC shall not request or require submission of a student's IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

### **DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES**

ACLC 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.

ACLC shall also comply with the following requirements of Education Code section 47605(d)(2)(B)(i)-(iv):

- (i) Each type of preference shall be approved by the chartering authority at a public hearing.
- (ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.
- (iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) Preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

## HOMELESS AND FOSTER YOUTH

ACLC shall adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. ACLC shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that ACLC is open to enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment. ACLC shall comply with all applicable provisions of Education Code sections 48850 – 48859 with respect to foster children and homeless youth.

## PARENT ENGAGEMENT

ACLC 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 ACLC.

### Statement of Nondiscrimination Acceptance Policy:

ACLC does not discriminate against applicants on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). No child selected during the lottery process shall be denied admission because they require special education services.

To be considered for admission to the Community Learning Center Schools, Inc schools including ACLC and Nea Community Learning Center (Nea), interested applicants:

- Must apply for admission within the time frames established by the school
- May not be under current expulsion from AUSD or another school district
- May not be currently placed in school as a consequence of disciplinary action

To attend ACLC or Nea, Learners must:

- Be fully immunized in accordance with California law.

- Present the appropriate health exam record per California code.
- Homeless students and foster youth are exempt from documentation requirements.
- Not exceed 19 years of age, unless Learner was continuously enrolled in public school prior to age 19, and/or the Learner is being served by an IEP.
- Be five (5) years of age on or before September 1 to enter kindergarten. However, an applicant turning 5 between September 2 and October 1, may apply for a waiver, with entry determined by the Nea Lead Facilitator (not applicable to ACLC).

The Priority Application period shall open each school year as determined by CLCS Admissions Department ([Admissions@clcschools.org](mailto:Admissions@clcschools.org)). Applicants that apply between the dates set by CLCS Admissions Department ([Admissions@clcschools.org](mailto:Admissions@clcschools.org)) shall participate in a lottery according to the admission priorities outlined above.

If there are more applicants than spots available, a lottery shall be conducted under the supervision of an AUSD compliance officer, and held on a previously announced date in February.

Admission priorities for the lottery and waitlist thereafter are established as follows:

1. Existing Learners shall be exempt;
2. Applicants who are currently enrolled in or who reside in the elementary, middle, or high school of the local District in which CLCS schools are located for the purposes of the Charter School Facility Grant Program.
3. Applicants that are children of CLCS employees and current CLCS Board, Nea and ACLC Site Council members, regardless of residence;
4. Applicants that are siblings of Learners currently attending the school and are residents of the City of Alameda;
5. Applicants that are residents of the District;
6. Applicants that are siblings of Learners currently attending the school and are not residents of Alameda;
7. Applicants residing outside the City of Alameda

Applicants after January 31 will be added to the appropriate grade level and resident/non-resident waitlists in the order in which they applied, according to the admission priorities outlined above.

After a new Learner has accepted an offer of enrollment and completed all registration as well as submitted documentation necessary for said enrollment, the Learner's siblings may then apply the sibling priority to their application

The lottery shall be designed and conducted as follows:

- Children applying during the priority enrollment period as set by CLCS Admissions Department ([Admissions@clcschools.org](mailto:Admissions@clcschools.org)) shall be included in the lottery.
- Whether done manually or by computer, the lottery shall be designed with priorities in the order outlined above.
- Applicants shall be ranked in the lottery according to the priorities in the order outlined above.
- Applicants in each grade level will be randomly assigned a lottery number according to the priorities outlined above.
- Openings by grade level shall be filled according to lottery outcomes, going in numerical order from first to last.
- In the case of a family with twins or triplets, if one sibling is accepted in the lottery or subsequently, the remaining sibling (s) (twin, triplet) will also be offered admission at the same time if space is available in the class.
- Those applying after the Priority enrollment period shall be added to the waitlist according to the priorities outlined above, and in the order in which their application was submitted
- Openings by grade level will be offered as space permits.
- Wait lists for each grade level will be maintained until May 1 of the current school year. After that date, interested students must contact the school for admission decisions.
- After a new Learner has accepted an offer of enrollment and completed all registration as well as submitted documentation necessary for said enrollment, the Learner's siblings may then apply the sibling priority to their application.
- Interested Learners must re-apply each year so grade level waitlists are renewed yearly.

Upon offer of admission, the following information must be submitted:

- Proof of identity and guardianship
- Proof of immunization or exception, according to state of California law
- Home language survey
- A completed Emergency Medical Information form
- Proof of minimum age requirements
- Proof of residency information
- Signed permission for the release of previous school records
- All other required enrollment documents

- Homeless students and foster youth are exempt from documentation requirements

#### Pre-Admission Procedures:

- Failure to comply with the procedures outlined below will result in denial of admission.
- An admitted Learner will be removed from the school if failure to comply with these procedures is discovered after admission has been granted.

#### To be eligible to attend, Learners must meet the following requirements:

- Recommended that a parent/guardian must have attended a pre-admission meeting and/or school tour
- Enrollment registration and documentation must be completed by required deadlines as set by CLCS Admissions Department ([Admissions@clcschools.org](mailto:Admissions@clcschools.org)). If not completed within the allotted timeframe or the Learner may be withdrawn.
- Homeless students and foster youth are exempt from documentation requirements.

#### The Admissions and Enrollment Process:

- The School will determine class size/configuration for each school year.
- The School will actively recruit interested families through marketing and public relations efforts.
- The School will hold one or more informational open houses and school tours, of which attendance at one is mandatory for admission.
- The School will maintain a specified open enrollment period so applicants have an equal opportunity for participation in the lottery.
- Applicants completing an application within the open enrollment period shall participate in the lottery.
- Applicants shall be ranked in the lottery according to the priorities outlined above.
- Applicants in each grade level will be randomly assigned a lottery number according to the priorities outlined above.
- Applicants selected in the lottery shall be eligible for offers.
- Applicants not selected in the lottery shall be placed on a waitlist in the order determined via lottery.
- Current Learners will be solicited for intention to return the following year.
- Board members and staff will be solicited for the intention to apply for admission for their children
- The School will determine the number of returning Learners per grade.

- The School will determine the number of new Learner openings per grade.
- Openings by grade level will be filled according to lottery outcomes, with offers being made in numerical order from first to last.
- Those completing applications after the lottery will be added to the waitlist according to the admission priorities outlined above, and in the order in which their application was received.
- A Learner cannot concurrently hold a seat in more than one CLCS School. If a Learner is accepted/registered in one school and offered admission to the other, one enrollment must be withdrawn or declined.
- If an existing CLCS school Learner accepts admission to another CLCS school they must immediately notify the current school and complete a withdrawal form. The withdraw form may be post-dated to the last day of the current school year.
- Enrollment registration must be completed by required deadlines as set by CLCS Admissions. If not completed within the allotted timeframe Learner will be withdrawn.
- After a new Learner has accepted an offer of enrollment and completed all registration as well as submitted documentation necessary for said enrollment, the Learner's siblings may then apply the sibling priority to their application
- Wait lists for each grade level will be maintained until May 1 of the current year. After that date, interested students must contact the school for admission decisions.
- New waitlists will be created every school year with a new round of applications and lottery activities.
- When offered a spot from the waitlist, families must accept or decline within the time frame specified by the Admissions Director.
- Spots offered in the initial round after the lottery will be given a 7-day period in which to accept or decline those offers. Spots offered after the initial round of the lottery will be given a time frame as determined by CLCS Admissions. If no response to offer by the time frame specified the offer will be rescinded.
- Spots offered after the initial lottery offering period will have a time frame specified by the Admissions Director to accept or decline that offer, no more than two weeks and no less than 24 hours.
- Declining a spot may result in the applicant being removed from waitlist.
- Failure to respond to an offer within the specified amount of time may result in an offer being rescinded.
- Failure of a Learner (new or existing) to attend classes for the first 3 days of the school year may result in withdrawal, unless the school is previously notified of absence.
- CLCS has the right to rescind or withdraw any offer or enrollment if the policies or procedures set forth are not followed or if the application information submitted is found to be false or incorrect.

## **ELEMENT I: ANNUAL, INDEPENDENT FINANCIAL AUDITS AND INSURANCE**

*Governing Law: 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. Education Code § 47605(b)(5)(I).*

An audit committee, made up of members of the CLCS Governing Board, will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The audit will employ generally accepted accounting procedures and shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers K-12 Audit Guide.

The Executive Director of CLCS will oversee the audit and direct the auditor. The annual audit will be completed by December 15<sup>th</sup> of each year and a copy of the auditor's findings will be forwarded to AUSD, the California Controller, the ACOE Superintendent of Schools, State Board of Education, and the California Department of Education. The auditor will be hired by CLCS. The audit committee and the Executive Director of CLCS will review any audit exceptions or deficiencies and report to the ACLC School Site Council with recommendations on how to resolve them within 30 days. The ACLC School Site Council 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. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process referenced in this Charter.

The audit, and a report on the manner in which exceptions and deficiencies are resolved, will be provided to AUSD and the chartering agency within 30 days of the audit's completion. ACLC will then provide the chartering agency with regular updates on progress towards resolving exceptions and deficiencies.

### **Cash Reserves**

ACLC 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**

AUSD 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, ACLC, 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 ACLC 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 ACLC, ACLC will pay funds within forty-five (45) business days of being notified of the amounts owed.

#### Audit and Inspection of Records

ACLC 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 ACLC and requires that the District, among other things, monitors the fiscal condition of ACLC.
- The District is authorized to revoke this Charter for, among other reasons, the failure of ACLC to meet generally accepted accounting principles or if ACLC engages in fiscal mismanagement.

Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit ACLC 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.

ACLC 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 ACLC.

#### Internal Fiscal Controls

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

## Apportionment Eligibility for Students Over 19 Years of Age

ACLC 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, ACLC 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).)

ACLC and granting agency will jointly develop an annual site visitation process and protocol to enable the grantor to gather information needed to confirm the school’s performance and compliance with the terms of this charter.

ACLC will abide by the required timelines for the budget:

- On or before July 1<sup>st</sup>, a preliminary budget
- On or before December 15<sup>th</sup>, an interim financial report which reflects changes to the final budget through October 31<sup>st</sup>
- On or before March 15<sup>th</sup>, a second interim financial report which reflects changes to the final budget through January 31<sup>st</sup>
- On or before September 15<sup>th</sup>, a final unaudited financial report for the prior full fiscal year

In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter.

- September 1 – Final Unaudited Financial Report for Prior Year
- December 1 – Final Audited Financial Report for Prior Year
- December 1 – First Interim Financial Report for Current Year
- March 1 – Second Interim Financial Report for Current Year
- June 15 – Preliminary Budget for Subsequent Year

ACLC agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- ACLC is subject to District oversight.

- The District’s statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of ACLC.
- The District is authorized to revoke this charter for, among other reasons, the failure of ACLC to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code § 47607.

Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit ACLC books, records, data, processes and procedures through the Director of Educational Options or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the charter,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of school financial information,
- The school’s debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- The school’s enrollment process, suspension and expulsion procedures, and parent involvement practices,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

ACLC shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 days’ notice to ACLC. When 30 days’ notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours’ notice.

In addition, if an allegation of waste, fraud or abuse related to ACLC operations is received by the District, ACLC shall be expected to cooperate with any investigation undertaken by the Director of Educational Options, at District cost. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by ACLC by law or charter provisions.

The ACLC Financial Committee will annually develop the ACLC budget and present it to the ACLC Governing Board and the CLCS Board of Directors for approval by June 15. It is then forwarded to the chartering agency financial department. The ACLC Financial Committee (with support from our CFO) monthly monitors the expenditures of ACLC and reviews budget assumptions and makes adjustments as necessary. The ACLC Financial Committee makes monthly reports to the ACLC Governing Board. The ACLC Financial Committee monitors CSDC (Charter Schools Development Center) analysis of charter school projected revenues to financial planning. The ACLC Financial Committee yearly reports on its financial situation in its annual report to the community and the chartering agency.

**CLCS/ACLC shall employ EdTec to provide ACLC business services.**

EdTec shall keep track of financial data and compile information in prescribed formats needed for the annual statement of receipts and expenditures for the prior fiscal year that is due to the

board by September 15 of each year. ACLC shall submit quarterly financial reports to AUSD and the county superintendent of schools as required by AB 1137.

### **Insurance**

ACLC intends to contract for all of its insurance needs through the California Charter School Association's JPA.

The chartering agency shall not be required to provide coverage to ACLC under any of the agency's self-insured programs or commercial insurance policies. ACLC shall secure and maintain, as a minimum, insurance as set forth below to protect ACLC from claims which may arise from its operations. The following insurance policies are required:

1. Workers' Compensation Insurance in accordance with provisions of the California Labor Code, adequate to protect ACLC from claims under Workers' Compensation Acts, which may arise from its operations.
2. General Liability, Comprehensive Bodily Injury and Property Damage Liability for combined single limit coverage of not less than \$2,000,000 for each occurrence. The policy shall be endorsed to name the AUSD and the AUSD Board of Education as additional insureds.
3. Fidelity Bond coverage shall be maintained by ACLC to cover all charter school employees who handle, process, or otherwise have responsibility for charter school funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.

### **Insurance Certificates**

ACLC shall keep on file certificates signed by an authorized representative of the insurance carrier. Certificates shall be endorsed as follows: The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the Alameda AUSD Board of Education. Facsimile or reproduced signatures are not acceptable. The chartering agency reserves the right to require complete certified copies of the required insurance policies.

### **Optional Insurance**

Should ACLC deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the chartering agency and its purchase shall be the responsibility of the charter school.

### **Indemnification**

With respect to its operations under this charter, ACLC shall, to the fullest extent permitted by law, hold harmless, indemnify, and defend the chartering agency, its officers, directors, and

employees from and against any and all claims, demands, actions, suits, losses, liability expenses and costs including, without limitation, attorneys' fees and costs arising out of injury to any persons, including death or damage to any property caused by, connected with, or attributable to the willful misconduct, negligent acts, errors or omissions of ACLC or its officers, employees, agents and consultants, excepting only those claims, demands, actions, suits, losses, liability expenses and costs caused by the negligence or willful misconduct of the chartering agency, its officers, directors and employees. The chartering agency shall be named as an additional insured under all insurance carried on behalf of ACLC as outlined above.

With respect to its operations under this charter, the chartering agency shall, to the fullest extent permitted by law, hold harmless, indemnify, and defend ACLC, its officers, directors, and employees from and against any and all claims, demands, actions, suits, losses, liability expenses and costs including, without limitation, attorneys' fees and costs arising out of injury to any persons, including death or damage to any property caused by, connected with, or attributable to the willful misconduct, negligent acts, errors or omissions of the chartering agency or its officers, employees, agents and consultants, excepting only those claims, demands, actions, suits, losses, liability expenses and costs caused by the negligence or willful misconduct of ACLC, its officers, directors and employees.

To the extent that ACLC is a recipient of federal funds, including federal Title I, Part A funds, ACLC has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. ACLC agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their "right to know" the professional qualifications of their child's classroom teacher including a timely notice to each individual parent that the parent's child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact.
- Hold an annual Title I meeting for parents of participating Title I students.
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.

ACLC also understands that as part of its oversight of the school, the Director of Educational Options may conduct program review of federal and state compliance issues.

## **ELEMENT J: DISCIPLINARY, SUSPENSION, EXPULSION PROCEDURES**

*Governing Law: "The procedures by which pupils can be suspended or expelled." Education Code § 47605(b)(5)(J).*

[See ACLC Disciplinary Procedures including Suspension and Expulsion in appendices.](#)

The Judicial Committee is charged with administering the rules of ACLC and for establishing consequences for inappropriate behavior in all but the most serious situations. The Lead Facilitator or Judicial Committee Facilitator oversees all aspects of the Judicial Committee. In cases that involve risks to the safety and well-being of Learners, any Facilitator may be required to take action immediately and independent of any Committee to protect the entire school community. This may take the form of immediate suspension by the Lead Facilitator.

The ACLC Rulebook has been developed over a 19 year period by Learners and Facilitators to create a positive school learning culture. The school rules are in the Learner planner which is distributed free to each Learner each year. The Learner handbook which more extensively covers ACLC procedures shall be made available to all ACLC families at "Back to School Night" and posted on the ACLC listserv and ACLC website. (See Appendix C)

Learners who are found by the ACLC Judicial Committee or Lead Facilitator, when circumstances warrant an immediate determination, to have committed acts calling for a mandatory recommendation for expulsion under the terms of the California Education Code (see § 48915) will be referred to the ACLC School Site Council for possible expulsion from ACLC. Expulsion proceedings for ACLC Learners will be conducted in accord with state and federal law. AUSD Student Services and AUSD Board of Education will be notified of any expulsions from ACLC. Acts which fall into this category include, but are not limited to: causing serious injury to another person; sexual assault; possession of a firearm, knife, explosive or dangerous object; possessing or selling a controlled substance; robbery; assault on a school employee. As noted earlier in this document, no ACLC Learner will be made privy to any personal or confidential information regarding another ACLC Learner.

In all other matters that do not constitute an immediate threat to health and safety, the issue will be referred to the Judicial Committee ("JC"). The JC operates based on the body of regulations that has been developed in the ACLC Rule Book. The Rule Book will be updated and revised by the CCC on a yearly basis. These matters will be decided by a group of peers and Learners will be obligated to the entire learning community to fulfill any consequences imposed by the JC.

### **Protections of Constitutional Rights of Learners Related to Suspension and Removal from Program**

As a public charter school, ACLC is subject to protecting the federal and state constitutional rights of all Learners and parents, including the rights of the disabled and other protected classes. ACLC will have an approved resource specialist available for consultation on special classes of students and their rights. ACLC will use the same procedure for suspension of Learners from the program for 1-5 days as does the AUSD. The Lead Facilitator or Assistant Lead Facilitator hears the Learner's side of the suspendable incident, talks to and meets with parents, and only

suspends Learners for the offenses that are listed as legal below. The administrative representatives of ACLC balance the Learners' rights to due process with the responsibility to maintain a safe learning environment. Suspension reports will be cataloged as part of our annual report.

In addition to these suspension and expulsion policies required for this charter, prior to completing student enrollment, ACLC will develop a complete set of student discipline policies and procedures which shall be distributed to each student/parent as part of the Student Handbook Planner. Discipline policies are located at the end of the Learner Rule Book and Learner Handbook. (Appendix C)

The ACLC Lead Facilitator shall ensure that students and parents/guardians are notified in writing of all discipline policies, rules, and procedures and given an opportunity to provide input and feedback on discipline policies and procedures. Transfer students and their parents/guardian shall be so advised upon enrollment. The notice shall state that these disciplinary rules and procedures are available on request at the ACLC office.

### ***Grounds for Suspension and Expulsion of Students***

This Pupil Suspension and Expulsion Policies have been established in order to promote learning and protect the safety and well-being of all students at ACLC. When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as ACLC's policy and procedures for student suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student & Parent Information Packet which is sent to each student at the beginning of the school year.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

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.

ACLC administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Lead Facilitator's office.

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

A student identified as an individual with disabilities or for whom ACLC has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. ACLC will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom ACLC has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

In the case of a special education student, or a student who receives 504 accommodations, ACLC will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child’s disability; or 2) if the conduct in question was the direct result of the LEA’s failure to implement the 504 plan or IEP. If it is determined that the student’s misconduct was not caused by or had direct and substantial relationship to the child’s disability or the conduct in question was not a direct result of the LEA’s failure to implement the 504 plan or IEP, the student may be expelled.

#### **A. Grounds for Suspension and Expulsion of Students**

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity, 2) school attendance occurring at ACLC or at any other school, or 3) an ACLC sponsored event. A Pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- 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; or
- d) during, going to, or coming from a school-sponsored activity.

#### **B. Enumerated Offenses**

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.

2. Willfully used force of violence upon the person of another, except self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Lead Facilitator or designee's concurrence.
4. 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.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. 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.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
12. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
13. Knowingly received stolen school property or private property.
14. Possessed an imitation firearm, i.e.: a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
15. Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.

16. 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.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged in or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or reinitiating 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.
19. Made terrorist threats against school officials and/or school property. 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 district property, or the personal property of the person threatened or his or her immediate family.
20. Committed sexual harassment, as defined in Education Code § 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.
21. Caused, attempted to cause, threaten 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.
22. Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

23. Engaged in an act of bullying, including but not limited to, bullying by means of an electronic act, as defined in subdivisions (f) and (g) of section 32261 of the Education Code, directed specifically toward a pupil or school personnel.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities. List available on request.

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Lead Facilitator or the Lead Facilitator's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Lead Facilitator. The conference may be omitted if the Lead Facilitator 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 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.

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with 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 suspension, the Lead Facilitator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

### **3. Suspension Time Limits/Recommendation for Placement/Expulsion**

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of Placement/Expulsion by the Lead Facilitator or Lead Facilitator's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Lead Facilitator or designee upon either of the following determinations: 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.

### **4. Educational alternatives for Learners who have been suspended.**

Learners who have been suspended may make contact (by email or phone) with their seminar Facilitators to get missed assignments that should be turned in immediately at the end of the suspension. Facilitators shall make reasonable effort to provide such assignments so that the academic performance of the Learner shall not suffer. It is the Learner's and not the Facilitator's obligation to initiate this process.

#### **D. Authority to Expel**

A student may be expelled either by the Governing Board following a hearing before it or by the Governing Board upon the recommendation of an Administrative Panel to be assigned by the Governing Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Governing Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

#### **E. Expulsion Procedures**

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

In the event an administrative panel hears the case, it will make a recommendation to the Governing Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of ACLC'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 school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student 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.

**F. Special procedures for Expulsion Hearings Involving Sexual Assault or Battery Offences**

ACLC may, upon finding a 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 which shall be examined only by the Governing Board, administrative panel, or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. ACLC 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 person or panel conducting the hearing, 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 person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing 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 person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, ACLC must present evidence that the witness' presence is both desired by the witness and will be helpful to ACLC. The person 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 courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the 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 not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing 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 circumstances can be

made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

#### **G. Record of Hearing**

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

#### **H. Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation 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 and sworn declarations may be admitted as testimony from witnesses of whom the Governing Board, Panel or designee 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 accused pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code § 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Governing Board who will make a final determination regarding the expulsion. The final decision by the Governing Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Governing Board is final.

If the expulsion hearing panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

#### **I. Written Notice to Expel**

ACLCL shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves ACLCL without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. ACLCL 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, pursuant to Education Code Section 47605(d)(3).

ACLCL shall define any student dismissal under the Charter School's disciplinary procedure, or termination of a student's right to attend ACLCL under its disciplinary procedure, as an "expulsion" under the Education Code.

The Lead Facilitator or designee following a decision of the Governing Board to expel shall send written notice of the decision to expel, including the Governing Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with ACLCL.

The Lead Facilitator or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

1. The student's name
2. The specific expellable offense committed by the student

The Executive Director of CLCS or the Lead Facilitator of ACLCL will inform in timely way designated Alameda USD staff of the expulsion of any Learners from ACLCL. Notification will include the name and last known address of the Learner as well as the reason for expulsion. For purposes of enrolling Learners who have been expelled from their previous school, ACLCL and AUSD shall be considered separate districts. A Learner expelled from ACLCL for any of the offenses listed in subdivision (a) and (C) of Section 48915, shall not be permitted to enroll in any other school district during the period of expulsion unless it is a county community school, juvenile court school or a school district's community day school.

#### **J. Disciplinary Records**

ACLCL shall maintain records of all student suspensions and expulsions at ACLCL. ACLCL shall notify the superintendent of AUSD of an expelled Learner's name, last known address (if an Alameda resident) and send a copy of Learner's cumulative record to the school district.

#### **K. No Right to Appeal**

The pupil shall have no right of appeal from expulsion from ACLCL as the Governing Board decision to expel shall be final.

#### **L. Expelled Pupils/Alternative Education**

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

## **M. Rehabilitation Plans**

Students who are expelled from ACLC shall be given a rehabilitation plan upon expulsion as developed by the 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. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to ACLC for readmission.

## **N. Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school, school district or charter school shall be in the sole discretion of the Governing Board following a meeting with the Lead Facilitator and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Lead Facilitator shall make a recommendation to the Governing Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon ACLC's capacity at the time the student seeks readmission.

## **O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

In the case of a special education student, or a student who receives 504 accommodations, ACLC will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled.

- i. **Notification of SELPA**  
ACLC shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA the discipline of any student with a disability or student who ACLC or SELPA would be deemed to have knowledge that the student had a disability
- ii. **Services During Suspension**  
Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and

modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

iii. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, ACLC, the parent, and relevant members of the IEP Team shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP.  
If ACLC, the parent, and relevant members of the IEP Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.  
If ACLC, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall:
  - c) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that ACLC had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
  - d) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
  - e) Return the child to the placement from which the child was removed, unless the parent and ACLC agree to a change of placement as part of the modification of the behavioral intervention plan.

If ACLC, the parent, and relevant members of the IEP team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP, then ACLC may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

iv. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or ACLC believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or ACLC, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and ACLC agree otherwise.

v. Special Circumstances

ACLC personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Lead Facilitator or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

vi. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP team.

vii. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to the IDEA and IDEIA and who has violated the district's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if ACLC had knowledge that the student was disabled before the behavior occurred.

ACLC shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to ACLC supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other ACLC personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other ACLC supervisory personnel.

If ACLC knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA/IDEIA-eligible children with disabilities, including the right to stay-put.

If ACLC had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. ACLC shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by ACLC pending the results of the evaluation.

ACLC shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

ACLC will include data on suspensions and expulsions in its annual report to the District, as well as in other reports as required by the state.

ACLC recognizes that it is solely responsible for the administration of student discipline and shall not require the services of the District's Student Services Department in meeting its obligations under this Element in its charter.

## **ELEMENT K: MANNER OF RETIREMENT COVERAGE FOR STAFF**

*Governing Law: 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. Education Code § 47605(b)(5)(K).*

Employees of CLCS who work at ACLC who qualify for membership in the State Teachers' Retirement System ("STRS") will be covered under that system. Employees of CLCS/ACLC who qualify for membership in the Public Employees' Retirement System ("PERS") will be covered under that system. All employees who are not members of STRS or PERS must contribute to the federal social security system. CLCS/ACLC will inform prospective employees of the retirement system for employees of ACLC, as required by Education Code § 47611.

CLCS will make all employer contributions as required by STRS/PERS or federal social security. CLCS will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

An account of costs related to all of these benefits is contained in the ACLC Financial Plan created by EdTec.

## **ELEMENT L: PUBLIC SCHOOL ALTERNATIVES**

*Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. Education Code § 47605(b)(5)(L).*

Pupils who choose not to attend ACLC may choose to attend other public schools in their district of residence or pursue inter-district transfers in accordance with existing enrollment and transfer policies of the District. Parents or guardians of each pupil enrolled in ACLC shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.

## **ELEMENT M: RIGHTS OF RETURN FOR CHARTER EMPLOYEES**

*Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. Education Code § 47605(b)(5)(M).*

Employees of the District who choose to leave the employment of the District to work at ACLC shall have no automatic rights of return to the District after employment at ACLC 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 CLCS at ACLC will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

## **ELEMENT N: DISPUTE RESOLUTION PROCEDURES**

*Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter. Education Code § 47605(b)(5)(N).*

The staff and School Site Council members of ACLC agree to attempt to resolve all disputes between the District and ACLC regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement between the District and ACLC, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.

(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing (“Written Notification”) by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:

*To ACLC, c/o School Director:*  
Alameda Community Learning Center  
1900 3<sup>rd</sup> Street  
Alameda, CA 94501

*To Director of Student Services:*  
Alameda Unified School District  
2200 Central Ave, Ste. B  
Alameda, California 94501

(2) A written response (“Written Response”) shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party’s position on all issues stated in the Written Notification and set forth all fact which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S.

Mail. The parties agree to schedule a conference to discuss the claim or controversy (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party.

(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association (“AAA”) to have an arbitrator appointed.

(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law

#### Internal Disputes

- Disputes arising from within ACLC, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Governing Board members of the School shall be resolved pursuant to policies and processes developed by the School. The AUSD Board of Education shall not intervene in any such internal disputes without the consent of the ACLC Governing Board and shall refer any complaints or reports regarding such disputes to the School Board or the Director.
- The AUSD Board of Education agrees not to intervene or become involved in the dispute unless the dispute has given the AUSD Board of Education reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Governing Board of the School has requested the AUSD Board of Education to intervene in the dispute.
- Disputes shall first be brought informally to the Director of ACLC for resolution.
- The Director shall track all disputes in writing.
- The Director shall facilitate discussion and resolution between all parties involved in the dispute.
- If the resolution is not resolved by discussion facilitated by the Director, the matter may be brought before the Board for resolution. The Director shall provide a written summary of the dispute and all attempts at resolution for the Governing Board.
- The decision of the Governing Board shall be final.

When the operations of ACLC give rise to disputes or complaints other than between ACLC and AUSD, ACLC will seek a mutually-satisfactory resolution, employing a process that includes: defining the problem, identifying interests, gathering facts and evaluation options for resolution. Complaints will be addressed first at the source of the problem and referred to the appropriate level of school management. Complaints will be resolved within a reasonable time. Disputes that cannot be resolved informally will be addressed as provided by ACLC’s adopted complaint policy, which will be consistent with California’s Uniform Complaint Procedure

(California Code of Regulations, Title 5, §§ 4600 – 4671). Through this procedure, disputes that cannot be resolved initially may be referred to the ACLC Governing Board.

The role of AUSD in resolution of complaints received by it about ACLC will be addressed as follows. AUSD agrees not to intervene or become involved in the dispute unless the dispute has given AUSD reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Alameda Governing Board of ACLC has requested AUSD to intervene in the dispute.

#### *Oversight and Revocation*

Any communication from the AUSD Board of Education should be directed to the ACLC Governing Board. AUSD may inspect or observe any part of ACLC at any time. With only occasional exceptions, AUSD will seek to provide notice to the school at least three working days prior to any inspection, observation, or monitoring. If the AUSD Board of Education believes it has cause to revoke this charter, it will follow the process set forth in Education Code § 47607. ACLC agrees to respond promptly to all reasonable inquiries, including inquiries regarding its financial records.

#### *Addressing Parent Complaints*

ACLC will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. ACLC will not, at any time, refer complaints to the District.

The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely.

ACLC will 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 ACLC alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. ACLC will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

ACLC will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.

ACLC will implement specific and continuing steps to notify 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 the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner.

### *Renewal*

The process for any renewal will be governed by and will conform to timelines and processes set forth in AUSD Board Policy and Administrative Regulations.

## **ELEMENT O: EMPLOYEE REPRESENTATION**

*Governing Law: A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code). Education Code § 47605(b)(5)(O).*

CLCS shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act. (Government Code section 3540 et seq.) CLCS shall comply with all applicable requirements of the EERA, and the exclusive employer shall comply with the duties and obligations of the exclusive employer under the EERA. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

CLCS, including ACLC and Nea Community Learning Centers, is a union organization.

## **ELEMENT P: SCHOOL CLOSURE PROCEDURES**

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

### **CLOSURE ACTION**

The decision to close ACLC, either by the governing board of CLCS or through non-renewal by the AUSD Board of Education, must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: ACLC is revoked (subject to the provisions of Education Code section 47607(i)) or non-renewed by the AUSD Board of Education; the governing board of CLCS votes to close ACLC; or the Charter lapses or is surrendered.

### **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 ACLC, 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 CLCS or non-renewal by the AUSD Board of Education, the governing board of CLCS 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 ACLC will fund, these activities.

#### **Notification of Closure Action**

Upon the taking of a Closure Action, ACLC shall send written notice of its closure to:

1. ACLC shall provide the OCS with written notice of the person(s) designated to be responsible for conducting and overseeing all closure activities and the funding for such activities. If the Closure Action is an act of ACLC, ACLC provide the OCS 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 ACLC within 72 hours of the Closure Action. ACLC shall simultaneously provide a copy of the written parent notification to the OCS.

3. Alameda County Office of Education (ACOE). Charter School shall send written notification of the Closure Action to ACOE by registered mail within 72 hours of the Closure Action. ACLC shall simultaneously provide a copy of this notification to the OCS.

4. The Special Education Local Plan Area (SELPA) in which ACLC participates. ACLC shall send written notification of the Closure Action to the SELPA in which ACLC participates by registered mail within 72 hours of the Closure Action. ACLC shall simultaneously provide a copy of this notification to the OCS.

5. The retirement systems in which ACLC 's employees participate. Within fourteen (14) calendar days of the Closure Action, ACLC shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and the Alameda County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. ACLC shall provide a copy of this notification and correspondence to the OCS.

6. The California Department of Education (CDE). ACLC shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. ACLC shall provide a copy of this notification to the OCS.

7. Any school district that may be responsible for providing education services to the former students of ACLC. ACLC 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. ACLC shall provide a copy of these notifications, if any, to the OCS.

8. All ACLC employees and vendors within 72 hours of the Closure Action. ACLC shall simultaneously provide a copy of the written employee and vendor notification to the OCS.

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 ACLC
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

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

Notification of employees and vendors shall include:

1. The effective date of the closure of ACLC
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 ACLC, by which ACLC shall provide employees with written verification of employment

Within 30 days of the effective date of closure, ACLC shall provide all employees with written verification of employment. ACLC shall send copies of such letters to the OCS.

#### Records Retention and Transfer

ACLC 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 ACLC records, including student records. These requirements include:

1. ACLC shall provide the District with original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of ACLC. 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. ACLC's process for transferring student records to receiving schools shall be in accordance with AUSD procedures for students moving from one school to another.
3. ACLC 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 ACLC 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 OCS in the form of a CD or otherwise in accordance with District procedures.

4. ACLC must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. ACLC will coordinate with the OCS for the delivery and/or pickup of student records.
5. ACLC must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. ACLC must provide to the OCS a copy of student attendance records, teacher gradebooks, ACLC payroll and personnel records, and Title I records (if applicable). Personnel records must include any and all employee records including, but not limited to, records related to performance and grievance.
7. ACLC shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
8. ACLC shall provide to the responsible person(s) designated by the governing board of CLCS 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 CDE will notify ACLC and the authorizing entity of any liabilities ACLC 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.

ACLC shall ensure completion of an independent final audit within six months after the closure of ACLC 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 ACLC.

This audit may serve as ACLC 's annual audit.

ACLC shall pay for the financial closeout audit of ACLC. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by ACLC will be the responsibility of ACLC and not AUSD. ACLC understands and acknowledges that ACLC will cover the outstanding debts or liabilities of ACLC. Any unused monies at the time of the audit will be returned to the appropriate funding source. ACLC understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds or other special education funding will be returned to the

District SELPA or the SELPA in which ACLC participates, and other categorical funds will be returned to the source of funds.

ACLC shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

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

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed ACLC 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 ACLC. ACLC closure procedures must also ensure appropriate disposal, in accordance with ACLCS's governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of ACLC have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. ACLC, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to ACLC 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 ACLC 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 ACLC is operated by a nonprofit corporation, and if the corporation does not have any functions other than operation of ACLC, the corporation shall be dissolved according to its bylaws.

ACLCL shall retain sufficient staff, as deemed appropriate by the CLCS governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

CLCS governing board shall adopt a plan for wind-up of ACLCL and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

ACLCL shall provide AUSD 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 ACLCL will make the payments.

Prior to final close-out, ACLCL shall complete all actions required by applicable law, including but not limited to the following:

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

## **Miscellaneous Provisions (Q-X as designated in AR 042.4(a) of the AUSD BOE)**

### **Term of Charter (Q)**

The term of this charter shall be 5 years from July 1, 2019 until June 30, 2024.

### **Amendment to the Charter**

Proposed amendments or changes to this Charter may be made by the ACLC Governing Board following two public meetings. All material revisions must be subject to approval by the AUSD Board of Education.

### **ACLC Facilities**

ACLC is located in a suitable facility at 1900 Third St. Alameda, CA that currently under a long-term lease agreement. ACLC desires to remain in its current facilities for, at minimum, the length of its charter renewal term.

### **Manner in which administrative services will be provided**

ACLC contracts with EdTec of Emeryville for business services. ACLC will only contract services through AUSD if both parties agree and these relationships shall be spelled out in the Memorandum of Understanding (“MOU”).

### **Potential civil liability effects, if any, upon the school and upon the school district**

ACLC is a charter school operated by CLCS, a nonprofit public benefit corporation, thereby protecting AUSD from potential liability for acts of ACLC. The charter petition includes procedures to facilitate AUSD oversight. Additional oversight provisions and measures to reduce the risk of liability claims will be included in the annual operating agreement between CLCS/ACLC and AUSD.

ACLC will be operated by CLCS, a California non-profit public benefit corporation with IRS 501(c)(3) tax exempt status. As such, the school’s founders presume that AUSD will not be liable for the debts or obligations of ACLC pursuant to Education Code § 47604I. In the event that AUSD does not complete its responsibilities for charter school oversight under the Charter Schools Act, AUSD may expose itself to liability. The school intends to purchase liability and property insurance as outlined above to protect the school’s assets, staff, Board of Directors, and Governing Board members, and, where appropriate AUSD personnel.

### **Consultation with Parents and Teachers Regarding Educational Programs**

Inherent in the governance of ACLC is engagement of both parents and Facilitators in the development and evaluation of educational programs implemented in the school. In addition to the participation of these parties, Learners are also engaged in this process.

Parents, Learners and Facilitators are involved at the policy level through the ACLC Governing Board that is charged with establishing budget, evaluation of staff and program, reviewing Learner outcomes, and setting the direction of the school.

Parents will participate in the Personnel Committee that will gather information by Learner surveys on staff effectiveness annually.

Evaluation of the ACLC educational program will incorporate formal feedback through an annual parent/Learner survey. This survey will ask detailed questions about satisfaction with specific subject matter instruction as well as general school operations. This information will be tabulated by the Program and Performance Evaluation Committee and by Leadership, and it will be presented to the Governing Board as an annual report.

All meetings of the Governing Board will be open to the public and a regular meeting schedule will be provided to all parents annually.

### **ACLC Budget**

ACLC intends to employ EdTec, a charter school financial service corporation with ten years of experience and over 75 charter school clients, to provide financial services for the school. ACLC will use EdTec's financial processes and record keeping system. EdTec has worked with Executive Director Paul Bentz to develop the ACLC proposed budget. Executive Director Paul Bentz will be monitoring the ACLC budget and will submit EdTec financial reports monthly to the ACLC Governing Board.

Extra pay policies are approved by the ACLC Governing Board and the Facilitator representatives do not vote on such issues because it would be a conflict of interest. All stipends will be approved by ACLC Governing Board.

### **Chartering Authority, Reasonable Efforts to Accommodate Growth of the Charter**

Upon approval of this charter AUSD commits itself to make reasonable efforts to accommodate the growth of ACLC by providing administrative services at a cost not to exceed actual costs as negotiated by the parties to support the growth of ACLC.

### **No employee of AUSD shall be required to be employed at ACLC**

No employees of AUSD will be required for any reason to be assigned to ACLC.

### **No student of the AUSD shall be required to attend ACLC**

No student of AUSD will for any reason be required to attend ACLC.

### **School Calendar and Instructional Minutes (R)**

ACLC will consider using the AUSD school calendar for 2010-11 when and if it is adopted by AUSD. Once AUSD has adopted its calendar, the ACLC Governing Board shall determine the ACLC calendar. ACLC's school calendar shall comply with all state requirements regarding the

number of days and instructional minutes. A sample instruction minutes calculation is attached in Appendix H that was used at ACLC for the 2009-10 school year.

### **Transportation (S)**

ACLC does not intend to provide transportation of Learners unless required to do so by law for a special education situation. If ACLC is required to provide transportation for any Learner, ACLC will comply with state and federal laws governing vehicles, drivers, etc.

### **Staff Development Procedures and Materials (T)**

The Lead Facilitator shall suggest school wide staff development for staff and make recommendation to the ACLC Governing Board for approval. Currently, each ACLC Facilitator is allotted \$400 per year to seek out professional development opportunities that are specific for their curricular expertise. Proposals are approved by the Lead Facilitator.

### **Special Assurances (U)**

ACLC is prepared to comply with the Individuals with Disabilities Education Act, Section 504, Americans with Disabilities Act, Title VI, IX, and other federal requirements, including acknowledging that federal laws are not eligible for waivers.

### **Records of Claims or Lawsuits against ACLC (V)**

As of 12/26/09, in its 14 year history, there are no records of claims of lawsuits against ACLC.

### **National School Lunch Program (W)**

If ACLC remains on the Encinal campus, ACLC wishes that its Learners who qualify be able to participate in the National School Lunch Program through the EHS food services program. If ACLC is to locate on its own campus, ACLC will apply to be part of the National School Lunch Program as an independent charter school. If ACLC's application is approved, and if ACLC decides to participate in the National School Program and have a lunch program (neither or which are required by charter or state law), ACLC will develop approved accounting practices as required by the National School Lunch Program for reimbursement.

### **Charter Petitions (X)**

ACLC and CLCS have not submitted this charter petition to any other authorizing agency. The petitioners currently have no other charter petitions before any other chartering agencies. Currently, CLCS has no other charter petitions before any other authorizing agencies.

### **Other Issues:**

The District may charge for the actual costs of supervisory oversight of ACLC not to exceed 1% of the ACLC's revenue, or the District may charge for the actual costs of supervisory

oversight of ACLC not to exceed 3% if ACLC is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time.

ACLC must submit its renewal petition to the Director of Educational Options no earlier than 180 days before the charter is due to expire unless otherwise agreed by the Director of Educational Options.

The District may revoke the charter of ACLC in accordance with Education Code § 47607, any successor provisions to Section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.