



NEWMAN LEADERSHIP ACADEMY

**TAFT T. NEWMAN LEADERSHIP ACADEMY
CHARTER SCHOOL RENEWAL**

PETITION PRESENTED TO

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

SAN BERNARDINO, CALIFORNIA

FEBRUARY 2017

Newman Leadership Academy

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Newman Leadership Academy Charter School Petition

The Board Members believe that all students can learn, but acknowledge that not only through their wealth of educational experiences, but also through substantiated data and research, that all students do not learn in the same manner or timeframe. As such, the Board Members believe that Newman Leadership Academy will meet the needs of its students, parents/guardians and community at a much higher level than could be met in the traditional setting.

AFFIRMATIONS AND ASSURANCES

Newman Leadership Academy (NLA) hereby certifies that the information submitted in this application for a California public charter school is true to the best of our knowledge and belief. This school is located within the boundaries of the San Bernardino City Unified School District.

Further, we understand that if charter is renewed:

- Newman Leadership Academy will be non---sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code § 47605(d)(1)]
- Newman Leadership Academy will not charge tuition. [Ref. Education Code § 47605(d)(1)]
- Newman Leadership Academy will not discriminate on the basis of the characteristics listed in Education Code 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)]
- Newman Leadership Academy will meet all statewide standards and conduct the student assessments required, pursuant to Education Code § 60605, 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)]
- Newman Leadership Academy will be deemed the exclusive public school employer of the employees of Newman Leadership Academy Charter School for the purposes of the Educational Employment Relations Act. [Ref. Education Code § 47605(b)(5)(O)]
- Newman Leadership Academy will admit all students who wish to attend Newman Leadership Academy, and who submit a timely enrollment form, unless Newman Leadership Academy receives a greater number of applications that there are spaces for students, in which case a public random drawing will be held. Except as required by Education Code Section 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 Section 47605(d)(2)(B). 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 Section 47605(d)(2)(C). [Ref. Education Code § 47605(d)(2)(A)---(B)]

- Newman Leadership Academy will adhere to Section 504 of the Rehabilitation Act of 1973 (“Section 504”), Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEIA”).
- Newman Leadership Academy will 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)]
- Newman Leadership Academy will ensure that the school’s teachers hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which teachers 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 § 47065(I).
- Newman Leadership Academy will continue, for each fiscal year, to offer at a minimum, the number of minutes of instruction per grade level as required by Education Code § 47612.5(a)(1)(A)---(D).
- Throughout this Charter and any attachments, exhibits, and/or appendices hereto, any and all references to NLA and/or the Charter School and/or the School shall apply with full force and effect to the school itself and the non-profit 501(c)(3) NLA corporate entity, and for all purposes related to this Charter or the operations of NLA, both the School and NLA, to the extent that they are separate entities, shall be fully obligated to comply with the provisions of this Charter and any attachments, exhibits and/or appendices hereto, without regard to whether one or both of those entities is referenced or specifically listed or identified therein. The appendices and exhibits to this Charter are incorporated herein and made a part hereof by this reference.
- Throughout this Charter and any attachments, exhibits, and/or appendices hereto, anytime that Newman/NLA states that it will follow the requirements of a particular Section of the Education Code or other law, it means that Newman/NLA will comply with these laws in the same manner as required for California noncharter public schools, except where otherwise specified.
- Should the provisions of this Charter conflict with the Articles of Incorporation, Bylaws, policies, or practices of the School or the corporation, the provisions of this Charter shall prevail. NLA shall provide written notice to SBCUSD of any proposed revisions to the Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revision(s) by the NLA governing board. Should SBCUSD consider the proposed revision(s) to be a material revision to NLA’s governance structure or Charter, NLA may not formally adopt such revision(s) unless and until

the revision(s) is first approved through the process set forth in Education Code section 47607 for material revision to the Charter. Should NLA adopt revision(s) to its Articles of Incorporation and/or Bylaws in accordance with these requirements, it shall provide a final copy of the revised document to SBCUSD within three (3) business days of the adoption of such revision(s). NLA shall provide to SBCUSD copies of all of its Governing Board agendas (including all backup materials), and agendas (including all backup materials) of any other boards and committees, on or before the date required for posting of such agendas in compliance with the Brown Act.

- NLA will adhere to the Political Reform Act (Government Code section 81000, et seq.) and will adopt and promulgate a conflict of interest code that incorporates by reference the Fair Political Practices Commission's standard conflict of interest code at 2 CCR section 18730.
- NLA shall ensure in its corporate Bylaws that one NLA Board representative is reserved for a parent of a student currently attending a charter school operated by NLA, subject to any other the limitations set forth in the NLA Bylaws.
- By the terms of this Charter, the Charter School and NLA are obligated to comply with the requirements of Government Code Section 1090 et seq., the Political Reform Act, the Brown Act, and the California Public Records Act to the same extent as if the Charter School were a noncharter California public school district regardless of any arguments regarding the applicability generally of those laws to California charter schools. In the event that the laws/rules/provisions of Government Code Section 1090 et seq. and the Political Reform Act of 1974 permit an action or means of taking action that is restricted or prohibited by the other conflict of interest statute's laws/rules/provisions, the most restrictive law/rule/provision shall control.
- If a student is expelled or leaves Newman Leadership Academy without graduating or completing the school year for any reason, Newman Leadership Academy will notify the Superintendent of the school district of the student's last known address within thirty (30) days (if Newman Leadership Academy does not use the District's Student Information System), and will, upon request, provide that school district with a copy of the cumulative record of the student, including a transcript of grades or report card and health information. [Ref. California Education Code § 47605(d)(3)] This paragraph applies only to students subject to compulsory full--time education pursuant to Education Code § 48200.
- Newman Leadership Academy will follow any and all other federal, state and local laws and regulations that apply to California charter schools, including but not limited, to:
 - Newman Leadership Academy will not require any student to attend or any employee to work at the charter school.
 - Newman Leadership Academy will maintain accurate and contemporaneous written records that document all student attendance and make these records available for audit and inspection.
 - Newman Leadership Academy will, on a regular basis, consult with its parents/guardians

and teachers regarding its education programs.

- Newman Leadership Academy will comply with any jurisdictional limitations to locations of its facilities.
- Newman Leadership Academy will comply with laws establishing the minimum and maximum age for public school enrollment and will not enroll students over 19 years of age, unless the student has been continuously enrolled in a public school, is not over the age of 22 years, and is making satisfactory progress toward high school diploma requirements.
- Newman Leadership Academy will comply with all applicable portions of the Every Student Succeeds Act and/or any successor provisions and all applicable federal laws.
- Newman Leadership Academy will comply with the Williams Legislative requirements.
- Newman Leadership Academy will comply with the Brown Act.
- Newman Leadership Academy will comply with the Public Records Act.
- Newman Leadership Academy will abide by Conflicts of Interest including Political Reform Act 1990 and Government Code 1090.
- Newman Leadership Academy will comply with the Family Educational Rights and Privacy Act.
- Newman Leadership Academy will meet or exceed the legally required minimum number of school days.
- Newman Leadership Academy will maintain all necessary and appropriate insurance coverage at all times per district's requested amount.
- Newman Leadership Academy accepts and understands its obligations to comply with specific sections of the Education Code §47611 (STRS) and §41365 (Revolving Loan Fund).
- Newman Leadership Academy will comply with minimum age for enrollment requirements (EC 48000[a]).
- Newman Leadership Academy will, to the extent independent study is provided, comply with state laws relating to independent study as set forth in Education Code 47612.5.
- Newman Leadership Academy agrees to abide by all laws applicable to charter schools, and these laws may supersede any agreement in this charter petition as the charter school laws may change from time to time.

ELEMENT 1

EDUCATIONAL PROGRAM

Governing Law: "The educational program of the school, designed, among other things, to

describe what the school intends to accomplish, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self---motivated, competent and lifelong learners.” Education Code 47605(b) (5) (A).

MISSION

The mission of Newman Leadership Academy still remains to provide an excellent education, equip students to have strong morals and be responsible community members, create a foundation for life---long learning, and develop students’ capacity to reach their highest potential in every area of life. Through a community---wide collaborative effort, we serve underserved students and families.

VISION

The vision of Newman Leadership Academy is to reinvigorate our community by building healthy scholars and leaders who contribute to building a healthy community. Individual achievements will positively impact families, neighborhoods, and the global society in which we live. Newman Leadership Academy seeks to create a school with a positive reputation for academic achievement that will draw students from San Bernardino and surrounding areas.

What Makes Newman Leadership Academy Special?

Newman Leadership Academy is a site-based K-6 public charter school. The educational program is uniquely suited to meet and exceed the diverse educational needs of the students we serve. The key characteristics of NLA Charter School include:

- **Highly structured values-centered curriculum.** Our school emphasizes learning and achievement and focuses on developing within each student a strong sense of discipline, ethical values, personal responsibility, and respectfulness.
- **Teaching students how to learn and how to master grade-level skills.** Our school teaches students critical analysis and reasoning skills so that they know how to learn and how to access knowledge.
- **Intensive focus on literacy.** Our school’s intensive focus on literacy begins with the foundation of phonics and grammar so that students may develop their knowledge and understanding of composition and literature. Reading will be a key component of our academic program and a love of reading for leisure and pleasure will be instilled in each student scholar.
- **Community focus.** Our school belongs to the community. Students, teachers, parents/guardians and administrators develop a strong relationship and work collaboratively to educate students and manage the school.

TARGET SCHOOL POPULATION

Proposed Grade Levels and Projected Student Enrollment

Newman Leadership Academy serves approximately 140 students in grades K--6 in the third year beginning in September 2014. Each year the school will expand additional classes until the school serves 340 students in our current location. The plan is based on a student/teacher ratio of 20:1 for grades K--6. This structure provides sufficient teachers for teaming and diversification of student abilities and needs.

NLA GROWTH PLAN

	K	1	2	3	4	5	6	Total
Year 3 14/15	21	22	20	16	16	10	10	115
Year 4 15/16	22	22	21	18	20	15	12	130
Year 5 16/17	22	22	22	20	20	12	12	130
Year 6 17/18	22	32	32	22	20	20	20	168
Year 7 18/19	22	32	32	32	20	20	22	180
Year 8 19/20	22	32	32	32	20	20	22	180

As mandated in Ed Code§ 47605(d)(2)(A)-(B) NLA serves all families that submit an application for their students in corresponding grades up to our enrollment capacity. A public random drawing will be held should the number of applications received exceed the number of available spaces.

Students who choose not to attend NLA may attend the existing elementary schools in the district that serve their attendance zone or pursue an inter--district transfer in accordance with existing enrollment and transfer policies.

Student Population and Demographics of Targeted Community

Newman Leadership Academy has actively engaged the community and has responded to the interest the community has demonstrated for this charter school. Many parents/guardians have expressed a desire for a smaller learning environment in which to enroll their student.

Our families have chosen an alternative school options for their students. Eighty percent (80%) of families who support Newman Leadership Academy live in areas that are defined as socioeconomically disadvantaged. Newman Leadership Academy serves families who desire a rigorous college-preparatory academic program and a highly structured environment for their students. The academic program is designed to propel all students to mastery of grade-level skills and content, in full alignment with Common Core Standards. We provide an extensive, research-based literacy program to meet the needs of all students, including targeted support for English Learners and students with special needs. The entire school program provides the systems, discipline, and clear and consistently reinforced expectations needed for all students to focus on academics, maintain high standards of behavior, and develop the character building core values of responsibility, respect, perseverance, commitment, and excellence.

We are fortunate to have a rich diversity of ethnic groups in the City of San Bernardino. Data from the 2010 US Census gives the following demographic breakdown for the City of San Bernardino: 49.2% Hispanic, 33.3% White, 8.9% Black, 6.3% Asian, and 1.4% Pacific Islander, American Indian, or Alaskan Native

School Year

Newman Leadership Academy operates on a traditional school calendar following the SBCUSD adopted calendar. Beginning with the 2015/2016 school year, NLA will provide a traditional school year of 180 instructional days. The school offers after school enrichment and tutoring to provide further instruction for students and to increase academic achievement. We will track daily attendance closely and communicate promptly and directly with families to minimize the impact of absences on any student's academic progress.

The standard instructional day operates from 8:00 am to 3:00 pm. This includes our Transitional Kindergarten students as well as our 1st-6th graders.

Innovative Program Design: A Typical Day at NLA

When one enters NLA at the beginning of the day, you see students, teachers and support staff participate in a daily morning assembly, which may be in the assembly hall or in classrooms. This structure reinforces a culture of community and ceremony.

You will encounter an exciting student-centered learning environment. Students are actively engaged in the lesson before them, and teachers are focused on this engagement in the process of instructing their students. The atmosphere is one where learning is prized, excellence is demanded, and performance is rewarded.

Teachers employ a variety of instructional methods across the curriculum. Teachers express to students and parents/guardians learning goals that are clearly written and visually posted in classrooms as well as verbally expressed during conferences and other school events such as parent meetings, Back to School Night, and Open House. Teachers will create a classroom with a balance of interactive settings. Visitors see a variety of instructional strategies including collaborative learning, whole class discussion, direct instruction, small group learning, and individualized learning. Individualized learning may include guided practice, individual practice or one-on-one instruction. NLA teachers also use small groups to provide differentiated instruction and ability groupings; this is also a classroom management strategy. A visitor will see that in all settings, students are actively engaged and teachers are skilled at implementing the curriculum and routines and management systems.

Teachers are effectively scaffolding lessons to engage students in higher order thinking. Visitors to the school see that teachers effectively lead students to think critically. Teachers engage students using real life concepts that are relative to their life experience and build upon students' prior knowledge.

Current student work with rubrics, criteria charts and teacher feedback will be visible throughout

the school, including in classrooms and hallways.

Outside the classroom, teachers meet weekly in grade level teams to assist each other in developing lesson plans that effectively keep students on target to meet learning goals and work collaboratively to plan thematic units. A visitor to NLA will see teachers using the Common Core Standards to guide instructional planning in every subject area and at every grade level. Teachers use formative assessments to assess the acquisition of key learning standards by students and to inform instruction. In addition to formative assessments, teachers consistently ask comprehension questions during instruction (Stiggins, 2004).

Students are motivated to attend school regularly. NLA teachers and staff stress to students and parents/guardians the importance of attendance as a prerequisite for academic success. The Principal and Administrative Assistant maintain detailed student attendance records. Parents/guardians of absent students are contacted every morning. Further, NLA offers student incentives such as rewards and recognitions to encourage exemplary attendance.

Instructional Delivery

NLA provides a small learning environment that allows the effective implementation of an enriched, Common Core based curriculum. NLA provides each student with powerful learning experiences that are differentiated to meet individual student needs. A combination of small and large group instruction is utilized to deliver the curriculum with one-on-one help, including tutoring and extensive mathematics and language arts support for students who are below grade level. As evidenced by:

- Creating small communities of learning where stable, close, mutually respectful relationships with adults and peers are considered fundamental for intellectual development and personal growth.
- Teaching a core academic program that utilizes research--based instructional practices and promotes artistic, scientific, and mathematical literacy, as well as critical thinking and reasoning.
- Using a variety of student groupings within each classroom. A wide variety of instructional strategies are employed to meet the differing needs of students at each grade level. These include, but are not limited, to: 1) cooperative learning, 2) flexible grouping, 3) partner reading, 4) choral reading, 5) computer lab listening center, 6) journal writing, 7) written and oral reports, 8) plays, and 9) role-playing.

NLA understands the importance of utilizing research--based instructional practices to promote student achievement. In order to address how learning best occurs, staff are trained to:

- Common Core standards--based instruction using the principles of backwards design (Wiggins & McTighe, 1998).

- Align appropriate assessments to the standards
- Implement relevant, supplemental instructional activities that are aligned to Common Core standards and reflect research-based best practices; and
- Design instruction that incorporates strategies detailed in *Classroom Instruction that Works*, by Marzano, Pickering, and Pollock.

Backward Mapping/Backward Design

“Backward Design,” is an instructional framework with a strong research base currently being employed in reform efforts across the Nation. Originally published in “Understanding by Design,” by Grant Wiggins and Jay McTighe (1998), this process of instructional planning provides teachers with a method for aligning standards, assessment, and instruction.

This process is one in which teachers start with the desired results (goals or standards) – and then derive the curriculum from the evidence of learning (performances) called for by the standard and the teaching needed to equip students to perform. There are three (3) distinct stages of this process that NLA uses. The three stages are as follows:

Stage 1: Unpacking and Prioritizing State Content Standards

Teachers and administrators apply specific tools necessary to “unpack” and prioritize State content standards. This is a necessary pre-requisite step to designing assessments effectively that are aligned to concepts and skills required by Common Core standards. Specifically, teachers:

- Understand the three (3) steps of the backward design process (identifying desired results, designing and aligning assessments to those results, differentiating instruction to meet the needs of all learners).
- Apply a concrete process for analyzing standards which helps teachers internalize the standards as well as determine the following:
 - Level of thinking (based on Bloom’s Taxonomy) required by students to reach mastery of the standard (this will be tied to creating assessments.)
 - Levels of performance rigor using Webb’s Depth of Knowledge
 - Percentage of questions from the CAASP/Smarter Balance that aligns with each strand of the standards (this will be tied to creating assessments.)
 - Identification of standards that serve as “anchors” upon which units can be based. Other standards are tied to these “anchors” standards within each unit of study designed by teachers (this is tied to creating assessments for units as well as individual lessons within the unit.)

Although many have researched instructional strategies, Marzano, et al. (2001) are widely regarded as the most methodologically sound and align most with the Newman Leadership Academy academic vision.

Teachers in each of the content areas, including Physical Education and Visual and Performing Arts

(VAPA) use California Standards and Common Core Standards to inform instruction. Next Generation Science Standards are used at every grade level.

Stage 2: Aligning Assessments (formative and summative) to Common Core Standards

Teachers design effective assessments that are aligned to standards and provide an accurate measure of a student's ability to engage in the level of thinking that is required by each standard. Teachers use assessments to monitor the progress of all student groups and to inform the school's instructional program.

Specifically, teachers:

- Identify four overarching assessment methods (selected response, constructed response, performance assessment, and personal communication) from which to choose when designing standards--based assessments (both formative and summative).
- Analyze Common Core standards to determine the "achievement target" embedded within each standard (achievement targets are the link between standards and assessment).
- Match an appropriate assessment method to each standard.
- Establish and articulate clear criteria for reaching proficient performance on standards.

Stage 3: Differentiating Instruction to Meet the Needs of All Learners

Teachers design innovative instructional strategies by:

- Differentiating the content, process, and products delivered to students in order to provide equal access to standards-based education for all learners (including English Language Learners, students with special needs, and high achieving students.)
- Writing effective standards-based lesson plans.
- Exploring how all learners (including English Language Learners, special needs students, and high achieving students) vary in their readiness, interests and learning profiles.)
- Using a repertoire of research-based instructional strategies proven to increase student achievement in a standards-based system (e.g. latest research from Marzano, Pickering, Pollock, Schmoker, and Tomlinson.)
- All coursework involves a rich repertoire of instructional strategies and curriculum resources. Many of the sample instructional strategies listed below incorporate one or more of the nine research-based strategies proven to have a positive effect on student learning as described in *Classroom Instruction that Works* (Marzano, Pickering, Pollock, 2001). Sample instructional strategies include:
 - Small projects and other ways of experiencing real-world problems
 - Collaborative investigations and demonstrations
 - Mini-lessons that address specific skills within the context of larger projects

- Giving guidance and adequate time to self-reflect and self-assess
- Democratic classrooms and school structure
- Authentic assessments
- Direct instruction
- Research-based projects
- Cooperative group work and projects
- Inter-disciplinary approaches to curriculum
- Presentation of clearly defined “Learning Targets” for all students by all teachers
- Rubric self-assessment
- The involvement of parents/guardians and utilization of community resources as educational partners in instructional presentation
- Mentoring programs
- Peer study groups
- Creating learning experiences that promote understanding, interest, and excellence
- Innovating and enhancing current standards-based adopted programs
- English Language Learners are reclassified and reported based on the data received from CELDT.

As a result of implementing and using this process, educational objectives become the criteria by which materials are selected, content is outlined, instructional procedures are developed, and assessments are prepared. Teachers use the process on a continual basis to evaluate the effectiveness of materials and instructional strategies used in their classrooms. Thus, the process serves as the vehicle for ongoing conversations among and between grade levels at NLA. Specifically, all teachers are charged with the responsibility of meeting weekly to collaborate, examine student outcomes, and determine program effectiveness.

How Learning Best Occurs

The National Research Council report, *How People Learn: Brain, Mind, Experience and School* (2000), defines five established principles regarding how learning best occurs that are critical factors for teachers to understand and incorporate in their teaching. Learning best occurs when:

- 1) Students’ initial understandings or preconceptions about how the world works are engaged and addressed with new concepts and information.
- 2) Students are given the opportunity to develop a deep foundation of factual knowledge, understand facts and ideas in the context of a conceptual framework and organize knowledge in ways that facilitate retrieval and application.
- 3) Students learn to take control of their own learning by defining learning goals and monitoring their progress in achieving them.
- 4) Students are given the opportunity to develop a deep foundation of factual knowledge, understand facts and ideas in the context of a conceptual framework, and organize knowledge in ways that facilitate retrieval and application.
- 5) Students learn to take control of their own learning by defining learning goals and monitoring their progress in achieving them.

NLA believes the implications drawn from this body of research are that learning best occurs when:

- Students are in a safe and nurturing environment where diversity is celebrated.
- Students are in an environment where all school community members (teachers, support staff, parents/guardians, community volunteers, peers and administration) collaborate to achieve their school vision by sharing the responsibility and decision making for curriculum, instructional strategies, and school organization.
- Students are in an educational environment that builds on students' strengths through enrichment activities, independent research, problem solving, creative thinking, music, art, environmental studies and integrated technology.
- Students see the connection between what they learn and the real world.
- Students work well individually and cooperatively as members of a group.
- Teachers have high expectations for all students.
- Teachers work collaboratively to identify student strengths and areas for improvement in mastering the California Standards for each subject area.
- Teachers use differentiated instruction to address each student's needs and potential.
- Teachers use formative and summative data to drive instruction.
- Teachers continue to grow through professional development and remain lifelong learners.
- The Principal has high expectations for student behavior, academic development, and the levels of student self-esteem and satisfaction.
- The Principal has high expectations for professionalism, effectiveness in ensuring that learning takes place for all students, and the levels of staff satisfaction.
- The Principal supports the efforts of the teachers and staff.
- The Principal and Administrative Team, as the instructional leaders, empower school community members to identify, articulate, and address a shared vision for the school's educational program.
- The school treats all students as potentially gifted and talented by offering an accelerated and academically rich curriculum component to all students.
- Students have an educational experience that prepares them for successful learning opportunities and prepares them for success in college, careers, leadership and economic success.
- Students can build sustained and caring relationships with their fellow peers, teachers, support staff, administration, and community members.

While these tenets of instruction have been noted as being highly successful, we recognize that each learning environment is unique and the needs of the students are unique as well. For this reason, NLA engages all stakeholders in a cycle of inquiry around student learning and achievement. A cycle of inquiry requires that the school community, led by the Principal, examines a question related to a gap in student learning. This question has been brought to the forefront through the analysis of multiple forms of data. The school community then examines research and best practices in order to set goals and enact a formal action plan to close the learning gap. Throughout each cycle, it may become necessary to implement alternative, research-based instructional strategies that are not listed above in order to increase student achievement. With that in mind, the list above can be viewed as dynamic and ever changing in order to best meet the needs of the students.

How the Goals of the Program Enable Students to Become Self-Motivated, Competent and Life-Long Learners

NLA enables students to become self-motivated, competent and life-long learners by accomplishing two main goals. First, the program aims to bring all student achievement to grade level or above. If students are on target academically, they are less likely, in the future, to fall several grade levels behind and get discouraged. Second, NLA seeks to develop each student's analytical and critical thinking skills. This is the key ingredient in life-long learning.

NLA's teachers give students opportunities for hands-on learning so that students gain first-hand experience to solve problems. At NLA students will become proficient or exceed the California State Standards for their grade levels while being immersed in a rigorous program based on the Principles of Learning: organizing for effort, clear expectations, accountable talk, academic rigor, fair and credible evaluations, recognition of accomplishments, socializing intelligence, learning as apprenticeship, and self-management of learning (Resnick, 2004).

NLA promotes the development of comprehensive, life skills rather than rote acquisition of factual information (Anderson et al, 2001). Our program emphasizes the development of process and critical thinking skills, which can be transferred into any life situation regardless of age and environment. It is our intention to develop lifelong learners.

Course Curriculum

The NLA curriculum is based on the California Common Core Standards and Next Generation Science Standards.

Newman Leadership Academy Curriculum 2017-2018

Course	Textbook Title	Publisher	Copyright
Language Arts K-2	ReadyGEN Guided Reading	Pearson Fountas and Pinnell	2016
Language Arts 3-6	Wonders	McGraw Hill	2017
ELA 1-6 Intervention	Standards Plus Intervention	Learning Plus Associates	2012
ELA K-6 Intervention	CCSS Literacy Handbook Vol 1 and 2	McGraw Hill	2013
Math K-6	Envision	Pearson	2015
Science K-6	Science	McGraw Hill	2008
Social Studies K	Our World	McGraw Hill	2007
Social Studies 1	School and Family	McGraw Hill	2007
Social Studies 2	Neighborhoods	McGraw Hill	2007
Social Studies 3	Community	McGraw Hill	2007
Social Studies 4	California Studies	McGraw Hill	2007
Social Studies 5	The United States, Making a New Nation	McGraw Hill	2007

Social Studies 6	World History	McGraw Hill	2007
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Scope and Sequence of Skills to Be Taught Across Grade Levels and Subjects

This section provides a brief description of each core content area. Teachers utilize an interdisciplinary approach in a standards-based system, which is supported by a variety of instructional strategies. Each grade level will have a pacing plan that encourages a vertically planned curriculum. Teachers meet on a regular basis to evaluate the effectiveness of the curriculum.

Language Arts

The primary goal of NLA is to provide students with multiple opportunities to acquire skills necessary to build College and Career Readiness. Within Language Arts Common Core Standards are explicit elements to ensure student competence. The areas of Anchor Standards, Informational Text, Foundational Skills, Speaking and Listening, Writing, and Research and Presentation are incorporated into a comprehensive literacy program.

Reading

A primary goal of the program at NLA is to encourage students to value reading. The National Reading Panel, in a comprehensive study, found five general areas of reading instruction which were crucial for developing excellent readers: phonemic awareness, phonics, fluency, vocabulary, and text comprehension. Using a balance of whole group instruction, guided instruction in small groups, and independent practice, students will develop these skills in a developmentally appropriate manner, supporting the individual needs of every student. There is a strong emphasis on phonics and phonemic awareness in the primary grades where students are learning to read. Examples of instructional strategies that promote phonics and phonemic awareness include daily chants/songs using sound---spelling cards, word sorts, making words through manipulation of word cards, and oral blending and segmentation. In the upper grades, instructional focus shifts from “learning to read” to “reading to learn,” with an increased emphasis on comprehension strategies. Students create meaning from what they read using comprehension strategies such as predicting, connecting, questioning, monitoring, clarifying, summarizing, inferring and visualizing.

Writing

Students in every grade level have the opportunity to write in one or more of the four genres: narrative, expository, persuasive, and response to literature. The core of writing instruction is built on the writing process, which includes brainstorming, drafting, revising, editing and publishing. Beginning in kindergarten, teachers in every grade level guide students through this process so that students become independent writers who can write on demand for a variety of audiences and purposes. We use writing rubrics to provide students with consistent and specific feedback on their writing. 6+1 Traits of writing is a well-researched writing program that will be implemented at NLA>

Math

The goal of mathematics instruction is to produce students who are fluent with numbers and have mathematical reasoning skills and a strong math vocabulary. Within the context of the California State

Standards, students will be constantly challenged to reason and communicate mathematically, in addition to demonstrating proficiency in all required math standards.

Teachers will focus on developing students' number sense and algebraic reasoning abilities. Important elements of number sense among young children include linking symbols to quantities, understanding part-to-whole relationships, and being able to make calculations with the same fluency that we stress in reading, so that they can devote more of their thinking to visualizing and tackling difficult word problems. The math program includes hands-on activities, classroom discussion about mathematical reasoning, and sufficient calculation practice to make arithmetic operations automatic.

Eight Mathematical Practice Standards (identical for each grade level) and Mathematical Content Standards (different at each grade level). Together these standards address both "habits of mind" that students should develop to foster mathematical understanding and expertise and skills and knowledge—what students need to know and be able to do. The mathematical content standards were built on progressions of topics across grade levels, informed by both research on children's cognitive development and by the logical structure of mathematics. (CA CCSSM)

Mathematical Practices

1. Make sense of problems and persevere in solving them.
2. Reason abstractly and quantitatively.
3. Construct viable arguments and critique the reasoning of others.
4. Model with mathematics.
5. Use appropriate tools strategically.
6. Attend to precision.
7. Look for and make use of structure.
8. Look for and express regularity in repeated reasoning.

Seeing structure and generalizing The CA CCSSM call for mathematical practices and mathematical content to be connected as students engage in mathematical tasks. These connections are essential to support the development of students' broader mathematical understanding—students who lack understanding of a topic may rely too heavily on procedures. The MP standards must be taught as carefully and practiced as intentionally as the Standards for Mathematical Content. Neither should be isolated from the other; effective mathematics instruction occurs when the two halves of the CA CCSSM come together as a powerful whole.

Science

The goal of the California Next General Science Standards (CA NGSS) is to prepare California students to be future citizens and future scientists, which leads to a specific vision about science education:

Learning science depends not only on the accumulation of facts and concepts but also on the development of an identity as a competent learner of science with motivation and interest to learn more. [...] Such identity formation is valuable not only for the small number of students who, over the course of a lifetime, will come to view themselves as scientists or engineers, but also for the great majority of students who do not follow these

professional paths. Science learning in school leads to citizens with the confidence, ability, and inclination to continue learning about issues, scientific and otherwise, that affect their lives and communities. (National Research Council [NRC] 2012, Chapter 11)

Students discover and learn about the natural world by using the methods of science as extensions of their own curiosity. Students will acquire knowledge of the biological and physical sciences from a balanced curriculum, which includes building on their understanding of science concepts to learn about the logic of the scientific method and applications of science to the world around them. Students develop critical thinking skills of science, including observing, comparing, organizing, inferring, relating, and applying. Our desired outcomes from science are an understanding of the process of scientific inquiry, curiosity about the world around them, skills to comprehend informational text, and increased self-esteem from producing a tangible work product as a result of their understanding. Through the thematic teaching approach, teachers incorporate fictional and expository text into their science instruction. Students write non-fiction text in relation to their experiments. When appropriate, students also write fictional pieces relating to the scientific topic of study. For example, a first grader studying the butterfly life cycle will write in his/her journal, illustrating and identifying the parts of the insect's body and recording factual observations, but will also experience the creative writing process using butterflies as the main topic.

Social Studies

To build a foundation for college and career readiness, students must read widely and deeply from a broad range of high-quality, increasingly challenging literary and informational texts. Through extensive reading of stories, dramas, poems, and myths from diverse cultures and different time periods, students gain literary and cultural knowledge as well as familiarity with various text structures and elements. By reading texts in history/social studies, science, and other disciplines, students build a foundation of knowledge in those fields that will also give them the background to be better readers in all content areas. Students can gain this foundation only when the curriculum is intentionally and coherently structured to develop rich content knowledge within and across grades. Students also acquire the habits of reading independently and closely, which are essential to future success. (CA CCSSLA)

Teachers build upon students' curiosity about themselves and their world by presenting history as an exciting and dramatic series of events and issues. Students engage in problem solving as they acquire, evaluate, and use information in a variety of ways. Frequent opportunities exist for all students to share their language, cultural ideas, customs, and heritage, thereby providing multicultural dimensions to the curriculum. Assorted activities within units of study accentuate the arts and use of technology while students learn about themselves in the world. Teachers provide equal access to the core curriculum for all students through a variety of appropriate strategies. Teachers also facilitate the exploration of values critical to understanding the democratic process. Key content outcomes for Social Studies include knowledge and cultural understanding, democratic principles and civic values, and academic and social skills necessary for effective participation in diverse societies. Key skills students demonstrate include the integration of multiple skills to solve a project-based problem, the ability to use informational text, mastery of academic vocabulary, and increased reading and writing skills.

Visual and Performing Arts (VAPA)

The goal of visual and performing arts instruction at NLA is to expose students to different art forms and encourage students to appreciate art as a form of communication. The strands of visual and performing arts are as follows: artistic perception, creative expression, historical and cultural context, aesthetic valuing and connections, relationships and applications.

VAPA instruction is aligned with Common Core Standards and integrated throughout the curriculum. NLA is committed, through instruction and exploration, to providing students with many artistic avenues for creative self-expression. By engaging in visual and performing arts, students enhance their knowledge of core academic subjects, apply critical thinking skills, and acquire artistic skill and style.

Physical Education and Health

The goal of the physical and health education curriculum is to promote healthy lifestyles among students and their families through the development of positive habits. The physical education and health curriculum covers the following strands: movement skills and knowledge, self--image and personal development, and social development. The Common Core Standards will be met through dance and other physical activities. Physical education instruction emphasizes individual motor skills, fitness and good sportsmanship. Students in Grade 5 participate in the required State Physical Fitness Testing. Standards-based, age-appropriate health education lessons are incorporated into the academic curriculum.

Textbooks and Instructional Resources

NLA places a high value on the quality, condition and availability of textbooks for all students. Textbooks and supplemental materials in core academic areas are selected with a strong focus toward alignment to Common Core Standards. The program budget allows for the purchase of the instructional materials needed to fully implement the program.

COURSE	TEXTBOOK TITLE	PUBLISHER
Language Arts K--2	Treasures	Pearson
Language Arts 3-6	Treasures	McGraw Hill
Math K--6	Math	Pearson
Science K--6	Science	McGraw Hill
Social Studies	Our World – Now and Long Ago	Harcourt School Publishers
Kinder		
1 st Grade	School and Family, Level 1	McGraw Hill
2 nd Grade	Neighborhoods, Level 2	McGraw Hill
3 rd Grade	Communities, Level 3	McGraw Hill
4 th Grade	California Studies, Level 4	McGraw Hill
5 th Grade	The United States, Making a New Nation	McGraw Hill
6 th Grade	World History	McGraw Hill

Use of Technology in the Classroom and Student Instruction in the Use of Technology

Every teacher has a desktop computer and a laptop that is hooked up to a projector. Teachers are encouraged to and make use of technology through PowerPoint presentations, short video clips to demonstrate a concept or topic and use the technological components of the newly adopted ELA and mathematic curriculums.

Newman Leadership Academy's 5/6 teacher has a master of arts in education technology. Every student in the 5/6 has access to a lap top every day. He is well versed in the use of integrating technology into classroom instruction. He is serving as my technology chair. My 4th grade class has access to a lap top daily as well.

Newman Leadership Academy has a computer lab for K- 3rd grade classrooms. Due to the only having four classrooms, students have multiple opportunities weekly to use the computer lab. Students of all grade levels will be using technology to publish written work.

As indicated in our petition, Newman Leadership Academy purchased MasteryConnect, an online formative assessment and curriculum tool. This will allow teacher to create frequent formative assessment to assess students' mastery of the standards. Teachers will also be using PowerSchool to complete attendance, progress reports, grading and report cards.

Teachers will be receiving professional development in PowerSchool, MasteryConnect, and Integrated Educational Technology and Common Core Standards in the 40 hours of Professional Development in the start of the school year and on minimum days throughout the year.

All 3rd – 6th grade classrooms will be implementing the Common Core (IAB) Interim Assessment Block and SBAC practice test for students to get practice using the technology they need to know and be able to use to demonstrate their understanding of the state standards.

Technology skills are embedded in the Common Core Standards. The Common Core standards don't just suggest novel technology use as a way to "engage students," but rather requires learners to make complex decisions about how, when, and why to use technology—something educators must do as well.

Technology is included in Math Practice Standard 5: Use appropriate tools strategically – Tools may include technology such as a calculator, a spreadsheet, computer software in mathematics such as a graphing program.

In the Common Core State Standards for English Language Arts, students need the ability to gather, comprehend, evaluate, synthesize, and report on information and ideas, to conduct original research in order to answer questions or solve problems. Students need to conduct research and to produce and consume media is embedded into every aspect of today's curriculum. This applies to all grade levels and support is added for the younger grades.

Teacher Recruitment

NLA involves all stakeholder groups in the school to identify the best teachers to deliver our instructional program. An extensive body of research shows that teacher quality is one of the most important factors related to increasing student achievement. Teachers who are committed, engaged and skillful in their approach to instruction have a powerful, long-term impact on their students' lives. NLA is committed to working strategically to successfully achieve our recruitment goals.

The key factors of success in recruiting are:

- Casting a wide net for candidates using traditional and innovative outreach strategies
- Responsiveness to candidates, including the timely return of calls and a clear explanation of the next steps to prospective candidates; and a
- Rigorous evaluation and selection process.

NLA posts information about possible teaching vacancies as early as April. Most of the hiring will commence in July. We employ a broad range of outreach strategies, from cultivating individual networks to implementing print and on-line advertising campaigns. A wide pool of candidates ultimately results in a higher quality of teachers hired. Primary outreach strategies include:

- Information sessions at colleges and graduate schools
- Outreach to Teach for America, R.I.S.E. and Cal Teach
- Advertisements through organizations
- Newspaper and on-line advertising such as Craig's List, Edjoin.org and Teacher-teachers.org
- Utilizing the network of colleagues from our existing teaching staff

Application and Selection Process

1. Candidate submits résumé and application.
2. The recruitment team reviews the documents submitted, including a credential check.
3. If a candidate is qualified, a brief phone interview is conducted.
4. Candidates who pass the phone screen are invited to an interview feedback session.
5. Candidates who pass the interview/feedback session are then invited to teach a sample lesson. Parents/Guardians and students are an integral part of this step in the process.
6. The final step in the process is a reference check.
7. Ultimately, the school Principal decides to extend an offer of employment to a candidate.

Characteristics of a Strong Teacher Prospect

Teacher candidates should demonstrate most of the following characteristics in their written application, phone interview and formal interview or during the sample lesson plan:

- Two to seven years of teaching experience
- Clear credential or enrolled in a teacher intern program
- Teaching experience in an urban community
- Commitment to teaching in underserved areas
- Demonstrated use of data-driven instruction
- Demonstrated passion for closing the achievement gap
- Openness to feedback
- Demonstrates a desire for personal and professional growth
- Strong connection with students
- Commitment to a rigorous education and
- Strong execution of the sample lesson

Formalized Ongoing Professional Development Program

NLA implements a comprehensive model of continuous school improvement, which includes staff professional development as well as personalized coaching to help teachers implement concepts in their classroom in a practical way that meets their needs.

Teachers spend one week in the summer participating in professional development. Teachers spend a total of 40 hours in the summer preparing for the new school year. In addition to this annual commitment of 40 hours, teachers will receive on-going professional development facilitated by the Principal and/or from outside consultants during the school year.

The additional professional development opportunities during the school year may constitute another 60 hours of professional development to be held on designated days after school (each Monday, and on monthly minimum days). In total, teachers are supported with approximately 100 hours of professional development.

NLA has identified the following topics for professional development:

- Teachers will examine the backward design process and use specific tools (e.g. Bloom's Taxonomy, Webb's Depth of Knowledge, CAASPP implementation and analysis) and critical questions to "unpack" and prioritize content standards.
- Teachers will review their prioritized standards and work collaboratively to cluster standards around "big ideas." The "big idea" or "key" standards will serve as anchors for units. Essential questions of learning will be asked and aligned to instructional units.
- Teachers will analyze achievement targets embedded in standards, as well as assessment options available to them in order to design effective assessments that are aligned to standards.
- Teachers will establish specific criteria that will be used to determine student proficiency on any given task such as essays, projects, or oral presentations. Criteria will be clearly communicated to students prior to giving the assessment.
- Teachers will develop instructional techniques that are proven to have a positive effect on student achievement. Teachers will also demonstrate the ability to differentiate the strategies in order to meet the needs of students with special needs, English Language Learners, and gifted/talented students.
- Teachers will be adequately trained in the use of the Treasure, Pearson, 6+1 Traits of Writing and supplemental curriculum and how to align content with Common Core Standards.

In addition to the formalized professional development objectives outlined in this charter renewal

petition, teachers are encouraged to share with the staff and the principal the areas where they feel are a need for more support and professional development. Peer support teams, and informal and or formal interdisciplinary teams will promote the school as a place for professional and personal growth for every staff member, as well as a place for learning for every student. Support for professional development activities will be sought from the San Bernardino County Superintendent of Schools, the McGraw-Hill Education Group, Pearson Publishers, Cal State University San Bernardino, and San Bernardino Valley College.

Professional Development Topic	Approx. Hours	Timeframe
Backward Mapping & Clustering Standards to Create Standards-Based Units	10	Ongoing during the school year and every summer
Classroom Management and Schoolwide Positive Discipline Culture Building	5	Ongoing during the school year and every summer
Treasures/Pearson	10	Ongoing during the school year and every summer
Common Core Training and Integrated Technology	20	Ongoing during the school year and every summer
Character Education/Team Building	5	Ongoing during the school year and every summer
Data-Driven Decision Making	10	Ongoing during the school year and every summer
Supporting Full Access of General Ed for Special Education Students	5	Ongoing during the school year and every summer
Cultural Diversity	2	Ongoing during the school year
Building Relationships with Students	3	Ongoing during the school year
Differentiation	10	Ongoing during the school year
English Language Acquisition Techniques	10	Ongoing during the school year
Mastery Connect	10	Ongoing during the school year and every summer
TOTAL HOURS	100	

Annual Schedule of PD

Teachers have 40 hours of PD before the start of the 2017 – 2018 school year. The professional development will include the following.

Backward Mapping/Backward Design

Backward Mapping is a process in which the teachers start with the desired results, mastery of the adopted standards) and then create a long-term plan for both ELA and mathematics.

Step 1: Prioritizing the Standards: Teachers will be provided with the ELA and Math Common Core Blueprints. During the 40 hours of PD prior to the school year, teachers will be instructed to pay particular attention to major cluster standards.

Long Range plans in ELA and math will ensure that major cluster standards are taught prior to state testing.

Teachers will also include next generation Science standards, Social Studies, Physical Education, Visual and Arts, and Educational Technology in their long term plans.

Step 2: Aligning Assessments to the Common Core Standards:

MasteryConnect is an online assessment and curriculum tool. Teachers will receive professional development and learn how to create assessments for any contents. MasteryConnect has standards –based student reports to provide real-time information about mastery of standards to teachers, students and parents. The assessment data is easily exportable into teachers’ grade books. Simple reports will be used in our Response to Intervention to easily identify students for tiered interventions.

Step 3: Differentiation Instruction to Meet the Needs of All Learners:

RTI Level I Will be implemented in the classroom daily

RTI Level II Will be provided Tuesday through Friday for 50 minutes daily. Students deploy to different classrooms to best meet their instructional needs. Students will move to the classroom that is teaching on their instructional level. Standards Plus Intervention ELA materials will be used the first half of the year and Standards Plus Math Intervention materials will be used the second half of the year.

Explicit Direct Instruction:

Teachers will receive intensive professional development on Explicit Direct Instruction (EDI) to help teacher deliver effective lessons that can significantly improve achievement for all students. EDI is a strategic collection of instructional practices combined together to design and deliver well-crafted lessons that explicitly teach grade level content to all students. EDI always includes specific lesson design components, specific lesson delivery strategies and continuous Checking for Understanding to verify that students are learning during the lesson. A meta- analysis study by Adams and Engelman (1996) with over 350 publications found consistent results of research as evidence that explicit instruction is an effective instructional practice for all students.

Academic Vocabulary: Building Background Knowledge

This professional development includes: determining the academic vocabulary terms most essential for each grade level, a six-step process for direct instruction in subject area vocabulary, and how to help students build academic vocabulary notebooks. This professional development includes instruction in subject-specific academic vocabulary. Research has shown that when teacher take a systematic approach to helping students identify and master essential vocabulary and concepts of a given subject area, student comprehension and achievement rises. Direct vocabulary instruction can help boost academic performance of all students.

Positive Behavior Interventions and Supports

The underlying theme is teaching behavioral expectations in the same manner as any core curriculum subject. Newman Leadership Academy will focus on three to five behavioral expectations that are positively stated and easy to remember. In other words, rather than telling students what not to do, the school will focus on the preferred behaviors.

Character and Leadership Education

Six pillars of Character are the core ethical values of Character Counts. They are; Trustworthiness; Respect; Responsibility; Fairness; Caring; and Citizenship. Each of the six character traits are used within the CHARACTER COUNTS! program to help instill a positive school climate for students and a “culture of kindness” making schools a safe environment for students to learn.

Professional Development Topic	Approximate Hours
Backward Mapping/Backward Design - Long term planning of ELA and Math Curriculums	5
Webb’s Depth of Knowledge - Understanding how teachers can increase rigor so all students learn at a high level.	2.5
Math Practices - Developing processes and proficiencies important in mathematics education	2.5
MasteryConnect – Creating and using formative assessments to guide instruction	10
Differentiated Instruction – to meet the instructional needs of all students	5
Explicit Direct Instruction – to improve lesson design and delivery and ensure student engagement and mastery of standards	15
Direct Academic Vocabulary Instruction – to increase student comprehension and achievement	15
Positive Behavior Interventions and Supports (PBIS) – Instill Positive behavior and	10
Character and Leadership Education	5
Response to Intervention and Student Study Team	10
Integrated Educational Technology and Common Core Standards	10
Wonders (Grades 3-6) – Implementation	5
Power School Training – Attendance, Grading, Report Cards	5
Total training Hours	100

Academic Calendar

NLA exceeds the State requirements for the number of instructional minutes for our students. Education Code Section 47612.5(a) requires a charter school to offer the following:

- Kindergarten = 34,971 minutes (NLA Kindergarten = 66,810 minutes in 175 days)
- Grades 1-3 = 48,960 minutes (NLA Grades 1-3 = 66,810 minutes in 175 days)
- Grades 4-6 = 52,457 minutes (NLA Grade 4-6 = 65,995 minutes in 175 days)

The state requirement is that these minutes be delivered in a minimum of 180 instructional days pursuant to Title 5 California Code of Regulation Section 11960.

School Year Begins	Early August
Minimum Days (Professional Development)	First Monday of the Month
Minimum Days (Parent Teacher Conference)	Held 3 days in Nov & 3 days in Apr
Pupil-Free Day (Staff In-Service)	Four times per year (Oct, Dec, Feb, Apr)

Veteran's Day (No School)	November
Thanksgiving Break (No School)	Thanksgiving Week
Minimum Day (Parent Teacher Conference)	Held in October & February]
Winter Break (No School)	Two Weeks Late December-Early January
King Holiday (No School)	January
President's Birthdays (Washington & Lincoln)	Two Mondays in February
Spring Break	One Week in March
Memorial Day	May

Innovative Instructional Schedule

The school day begins at 8:00 am and concludes at 3:00 pm. Each day will include a 30-minute lunch. The total number of daily instructional minutes under this schedule is 360 minutes, which exceeds the State requirement of instructional minutes for all grades K-6.

Each day begins with Character Education where students study a different school-wide theme each month such as respect, responsibility, honesty, and citizenship. Teachers design their lessons with consideration given to how the information could improve a student's character and leadership development. Students receive an extended block of Language Arts and Mathematics instruction. This time allotment allows teachers to differentiate instruction, utilize small groups and centers, and engage students in deep, meaningful explorations of content. The Language Arts and Math blocks are strategically scheduled early in the day to provide students with the most essential content during a time of the day when they are most alert and productive. The primary grades have 60-minute blocks of Language Arts and Math in the morning. The upper grades have 90-minute blocks of Language Arts and Math in the morning. All grades have a 40-minute Science/Social Studies block in the afternoon to allow sufficient time to engage in rigorous thematic units. The kindergarten model is academically rigorous, but broken up with appropriate exploration and playtime to ensure the program is developmentally appropriate for students at that age.

The Minimum Day Schedule is 8:00 a.m. – 1:00 p.m. Minimum days are scheduled to allow time for teachers to engage in extended periods of professional development and to allow time for parent conferences. The minimum day schedule maintains the instructional blocks and allows planned time for assemblies and special programs immediately before dismissal, which will support parental involvement in and attendance at these programs.

Tuesday through Friday at 2:00 p.m., students are regrouped for at least 30 minutes for Response to Intervention Tier II ELD. Groupings are flexible and shaped by student performance data analysis. The focus of this instructional time is functional text comprehension and vocabulary development.

Newman Leadership Academy Daily Schedule (Regular Day)

TIME	INSTRUCTIONAL MINUTES	TRANSITIONAL KINDERGARTEN
8:00-8:30	30	MORNING MEETING

8:30-9:30	60	LANGUAGE ARTS
9:30-9:40	10	BREAK
9:40-10:10	30	SOCIAL STUDIES/SCIENCE
10:10-10:25	15	BREAK
10:25-11:25	60	MATH
11:25-11:50	25	LUNCH
11:50-12:00	10	INTERVENTION

Instructional Minutes for Transitional Kindergarten = 36,000 minutes/year

TOTAL INSTRUCTIONAL MINUTES DAY FOR TK = 240

TIME	INSTRUCTIONAL MINUTES	KINDERGARTEN
8:00-8:30	30	MORNING MEETING
8:30-10:00	90	LANGUAGE ARTS
10:00-10:10	10	READ ALOUD
10:10-10:25	15	RECESS
10:25-11:25	60	MATH
11:25-11:55	30	LUNCH 1
11:55-12:10	15	RECESS
12:10-12:40	30	COMPUTER LITERACY
12:40-1:10	30	HISTORY/SOCIAL STUDIES
1:10-1:40	30	PE
1:40-2:10	30	MUSIC/ART
2:10-3:00	50	INTERVENTION

Minimum State of California Instructional Minutes for Kindergarten = 36,000 minutes/year

TOTAL INSTRUCTIONAL MINUTES REGULAR DAY = 360

TIME	INSTRUCTIONAL MINUTES	GRADE 1
8:00-8:15	15	MORNING MEETING
8:15-9:45	90	LANGUAGE ARTS
9:45-10:10	25	MATH
10:10-10:25	15	RECESS
10:25-11:25	60	MATH CON'T
11:25-11:55	30	LUNCH
11:55-12:10	15	RECESS
12:10-12:55	45	SOCIAL STUDIES/SCIENCE
12:55-1:25	30	COMPUTER LITERACY
1:25-1:40	15	JOURNALING
1:40-2:00	20	READ ALOUD CENTERS
2:00-2:30	30	PE
2:30-300	30	INTERVENTION

TIME	INSTRUCTIONAL MINUTES	GRADE 2
8:00-8:15	15	MORNING MEETING

8:15-9:30	75	LITERACY
9:30-9:50	20	SPANISH
9:50-10:30	40	MATH
10:30-10:45	15	RECESS
10:45-11:00	60	MATH CON'T
11:00-11:45	45	SOCIAL STUDIES
11:45-12:15	30	LUNCH
12:15-12:30	15	RECESS
12:30-1:15	45	SCIENCE
1:15-1:45	30	COMPUTER LITERACY
1:45-2:15	30	PE
2:15-3:00	45	INTERVENTION

TIME	INSTRUCTIONAL MINUTES	GRADE 3
8:00-8:25	25	MORNING MEETING
8:25-8:35	10	FLUENCIES AND COLD READ
8:35-8:55	20	SPANISH
8:55-9:30	35	LITERACY
9:30-10:00	30	PE
10:00-11:00	60	MATH
11:00-11:15	15	RECESS
11:15-11:45	30	SPELLING
11:45-12:15	30	LUNCH
12:15-12:30	15	RECESS
12:30-1:15	45	SCIENCE
1:15-2:00	45	SOCIAL STUDIES
2:00-2:30	30	INTERVENTION
2:30-3:00	30	COMPUTER LITERACY

TIME	INSTRUCTIONAL MINUTES	GRADE 4
8:00-8:15	15	MORNING MEETING
8:15-9:45	90	LITERACY
9:45-10:20	35	MATH
10:20-10:40	20	SPANISH
10:40-11:10	30	MATH CON'T
11:10-11:25	15	RECESS
11:25-11:55	30	COMPUTER
11:55-12:15	20	REFLECTION
12:15-12:45	30	LUNCH
12:45-1:00	15	RECESS
1:00-1:30	30	P.E.
1:30-2:00	30	SCIENCE
2:00-2:30	30	INTERVENTION
2:30-3:00	30	SOCIAL STUDIES

TIME	INSTRUCTIONAL MINUTES	GRADE 5/6 COMBINATION
8:00-8:15	15	MORNING MEETING
8:15-8:35	20	READING
8:35-9:35	60	LITERACY
9:35-10:35	60	MATH
10:35-11:00	25	SPANISH
11:00-11:15	15	RECESS
11:15-12:00	45	SCIENCE
12:00-12:15	15	JOURNAL
12:15-12:45	30	LUNCH
12:45-1:00	15	RECESS
1:00-1:30	30	PE
1:30-2:15	45	SOCIAL STUDIES
2:15-2:30	15	INTERVENTION
2:30-3:00	30	COMPUTER LITERACY

Minimum State of California Instructional Minutes for Grade 1 & 2 = 50,400 minutes/year

Minimum State of California Instructional Minutes for Grade 3 = 50,400 minutes/year

TOTAL INSTRUCTIONAL MINUTES REGULAR DAY FOR GRADE 1 = 360

TOTAL INSTRUCTIONAL MINUTES REGULAR DAY FOR GRADE 2 = 360

TOTAL INSTRUCTIONAL MINUTES REGULAR DAY FOR GRADE 3 = 360

Minimum State of California Instructional Minutes for Grade 4, 5, & 6 = 54,000 minutes/year

TOTAL INSTRUCTIONAL MINUTES REGULAR DAY FOR GRADE 4 = 360

TOTAL INSTRUCTIONAL MINUTES REGULAR DAY FOR GRADE 5/6 = 360

Newman Leadership Academy Minimum Day Schedule

TIME	INSTRUCTIONAL MINUTES	TRANSITIONAL KINDERGARTEN, KINDERGARTEN & GRADE 1
8:00-8:15	15	CLASS ORGANIZATION
8:15-9:15	60	LITERACY
9:15-10:15	60	MATH
10:15-10:45	30	PE
10:45-11:15	30	LUNCH
11:15-12:00	45	HISTORY/SOCIAL STUDIES
12:00	0	TK DISMISSAL
12:00-12:45	45	SCIENCE
12:45-1:00	15	INTERVENTION

TOTAL INSTRUCTIONAL MINUTES MINIMUM DAY FOR GRADE TK = 210

TOTAL INSTRUCTIONAL MINUTES MINIMUM DAY FOR GRADE K & 1 = 270

TIME	INSTRUCTIONAL MINUTES	LOWER GRADES (2 & 3)
8:00-8:15	15	CLASS ORGANIZATION
8:15-9:15	60	LITERACY
9:15-10:15	60	MATH
10:15-11:00	45	HISTORY/SOC STUDIES
11:00-11:30	30	PE
11:30-12:00	30	LUNCH
12:00-12:45	45	SCIENCE
12:45-1:00	15	INTERVENTION

TOTAL INSTRUCTIONAL MINUTES MINIMUM DAY FOR GRADES 2 & 3 = 270

TIME	INSTRUCTIONAL MINUTES	LOWER GRADES (4 & 5/6 COMBO)
8:00-8:15	15	CLASS ORGANIZATION
8:15-9:10	55	LITERACY
9:10-10:05	55	MATH
10:05-10:50	45	HISTORY/SOC STUDIES
10:50-11:35	45	SCIENCE
11:35-12:00	25	JOURNAL REFLECTION
12:00-12:30	30	LUNCH
12:30-1:00	30	PE

TOTAL INSTRUCTIONAL MINUTES MINIMUM DAY FOR GRADES 4 & 5/6 COMBO = 270

English Language Learners (ELL)

Overview

NLA meets all applicable legal requirements for English Language Learners (ELL) as it pertains to annual notification to parents/guardians, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. NLA implements policies to assure proper placement, evaluation, and communication regarding ELL's and the rights of students and parents/guardians. Newman Leadership Academy offers an English Learner Program that is based upon sound educational theory, adequately supported by budgeted resources and periodically evaluated and revised as necessary to increase opportunities for success.

Home Language Survey

NLA administers the Home Language Survey (HLS) upon a student's initial enrollment into school. Adults registering students complete the HLS answering the three questions required by law. When the answer to one of the three questions is indicated as a language other than English, the Language Appraisal Team is notified for appropriate follow up and assessment.

CELDT Testing

All students who indicate that their home language is other than English take the California English Language Development Test (CELDT) within 30 days of initial enrollment and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.¹ NLA notifies all parents/guardians of its responsibility for administering the student CELDT and of CELDT results within 30 days of receiving results from publisher. The CELDT is used to fulfill the requirements under the No Child Left Behind Act (2001) for annual English proficiency testing.

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The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing from their prior school of enrollment.

Reclassification Procedures

Reclassification procedures utilize multiple criteria in determining whether to classify a student as proficient in English including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT
- Participation of the student's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the student to evaluate the student's curriculum mastery
- Parental/Guardian opinion and consultation, achieved through notice to parents/guardians of the language reclassification and placement including a description of the reclassification process and the parents'/guardians' opportunity to participate, and encouragement of the participation of parents/guardians in the NLA's reclassification procedure, including seeking their opinion and consultation during the reclassification process
- Comparison of the student's performance in basic skills to an empirically established range of performance and basic skills based upon the performance of English proficient students of the same age that demonstrate to others that the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English and
- Teachers use the Student Oral Language Observation Matrix to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.
- Parents are annual notified of CELDT and proficiency results.

Response to Intervention and Student Success Team Processes

Newman Leadership Academy is dedicated to a multi-tiered approach to the early identification and support of students demonstrating learning and behavior needs. The RTI process begins with Tier I intervention in the classroom. All students will receive first best instruction in the classroom. K-6 Classrooms will be using the core curricular programs listed as well as the Tier I intervention components included in the ReadyGEN (K – 2), Wonders (3 – 6), Envision (K-6), and CCSS Literacy Handbook (K-6).

As part of the long-range planning completed prior to the start of the 2017-2018 instructional school year, teachers will identify the major cluster standards in both ELA and mathematics. They will use MasteryConnect to create formative assessments to quickly identify students in need of Tier II interventions in both ELA and mathematics.

Four days a week, students are deployed to classrooms to receive 50 minutes of targeted intervention instruction. This is 200 minutes a week of Tier II targeted Instruction a week.

The targeted intervention grouping is very fluid as teachers continue to teach the regular curriculum, give formative assessments on new standards, and create new targeted student grouping to address the new instructional needs.

The minimum day agenda will consist of:

Professional development topic(s) , and upcoming events, planning and collaboration

Additionally, every other minimum day will consist of RTI and formative assessment findings and grouping of students by standard or Student Study Team

The student study team process will be fully utilized to ensure that students receive appropriate interventions. RTI and SST and intertwined. Either a staff member or a parent can make a referral for an SST. SST can help students who are facing significant concerns related to:

- Academics
- Attendance problems
- Behavioral/emotional issues
- Health issues
- Retention
- Consideration for Special Education disabilities

The SST process allows all educational stakeholders to share concerns and develop a plan for success. The SST process requires that an action plan be developed and interventions are used and effectiveness is assessed. This is important information for the classroom teacher and the Tier II intervention teacher. After interventions have been tried, there is a follow up SST meeting. Only after multiple interventions, and several SST meetings have been held, will a student be referred to the district for testing for Special Education services.

Strategies for English Language Learner Instruction and Intervention

Teachers will be trained to use Specially Designed Academic Instruction in English (SDAIE) techniques, which will be the primary strategy to meet the needs of English Language Learners. The instructional design model to be used by NLA places a strong emphasis on differentiating instruction to meet the needs of English Language Learners based on their academic and language readiness. Through the well-defined professional development plan that accompanies this instructional design model, teachers will be trained on a variety of other instructional strategies to be used specifically with English Language Learners. These strategies include, but are not limited to, the following techniques:

Total Physical Response (TPR) Developed by James J. Asher, TPR is a language---learning tool based on the relationship between language and its physical representation or execution. TPR emphasizes the use of physical activity to increase meaningful learning opportunities and language retention. A TPR lesson involves a detailed series of consecutive actions accompanied by a series of commands or instructions given by the teacher. Students respond by listening and performing the appropriate actions (Asher, 2000a). Asher emphasizes that TPR can be the major focus of a language program or an extremely effective supplement, but that in order for it to be truly effective, training should include "a special course along with hands---on experience monitored by a senior instructor who is also skilled in the intricate applications of TPR" NLA incorporates TPR under the larger umbrella of Active Participation Strategies and requires its daily use throughout all lessons, particularly those involving direct instruction. Not only is it an effective strategy for language development, but also, it provides teachers with an informal assessment of how well each and every student understands the lesson.

Cooperative Learning Robert E. Slavin (1995) has shown cooperative learning can be effective for students at all academic levels and learning styles. Other research indicates that cooperative learning can be an "effective vehicle for learning content and learning in a second language" (Calderon, 2001; Cohen, Lotan, Scarloss, & Arellano, 1999; McGroarty, 1989, as cited in Calderon, 2001, p. 280). Cooperative learning involves student participation in small---group learning activities that promote positive interactions. As Cochran (1989) notes, "Cooperative learning makes sense for teachers who have Limited English Proficient students in their classes because all students are given frequent opportunities to speak and because a spirit of cooperation and friendship is fostered among classmates." Through a shared learning activity, students benefit from observing learning strategies used by their peers. English Language Learners (ELL) students can benefit from face---to---face verbal interactions, which promote communication that is natural and meaningful (Johnson, Johnson & Holubec, 1994; Kagan, 1994). Calderon suggests that "cooperative learning is effective when students have an interesting well---structured task such as a set of discussion questions around a story they just read, producing a cognitive map of the story, or inventing a puppet show to highlight character traits". NLA recognizes that there is a distinct difference between group work and cooperative learning. Through the Understanding by Design process, teachers work collaboratively to plan units with structured cooperative learning activities embedded in every unit.

Language Experience Approach (also known as Dictated Stories). NLA believes that it is important to draw on a student's strengths in order to advance learning. Additionally, relevant curriculum accelerates student knowledge construction. This approach draws on both beliefs by using students' words to create a text that becomes material for a reading lesson (Carrasquillo & Rodriguez, 2002). Students describe orally a personal experience to a teacher or peer. The teacher or another student writes down the story, using the student's words verbatim. The teacher/student then reads the story back as it was written, while the student follows along. Then the student reads the story aloud or silently. Other follow---up activities can be done with this approach. In this way, students learn how their language is encoded as they watch it written down, building sight word knowledge and fluency as they use their own familiar language. This approach allows students to bring their personal experiences into the classroom---especially important for culturally diverse students (Peterson, Caverly, Nicholson, O'Neal, & Cusenbary, 2000).

Dialogue Journals (also known as Interactive Journals) This approach is a way for teachers to engage students in writing. Students write in a journal, and the teacher writes back regularly, responding to questions, asking questions, making comments, or introducing new topics. Here the teacher does not evaluate what is written, but models correct language and provides a non-threatening opportunity for English Language Learners students to communicate in writing with someone proficient in English, and to receive some feedback (Peyton, 2000; Reid, 1997). Reid's literature review and her action research project show dialogue journaling with a teacher to be beneficial in improving spelling and fluency. The use of dialogue journals additionally provides a window into the student's mind, allowing the teacher to learn more about the student and using that information to draw on their interests and strengths to increase learning opportunities.

Academic Language Scaffolding The term "scaffolding" is used to describe the step-by-step process of building students' ability to complete tasks on their own (Gibbons, 2002). Academic Language Scaffolding draws on Cummins's research into Cognitive Academic Language Proficiency (Chamot & O'Malley, 1994; Cummins, 1981). Scaffolding actually consists of several linked strategies, including modeling academic language; contextualizing academic language using visuals, gestures, and demonstrations; and using hands-on learning activities that involve academic language. These strategies are a central part of sheltered instruction methods, but can be used in any classroom context. Scaffolding is accomplished vertically and horizontally. Vertically, a teacher scaffolds academic language skills throughout an individual daily lesson, an academic unit, and the entire school year. Horizontally, a teacher scaffolds academic language skills across the multiple disciplines in the classroom. In this way, English Language Learners instruction is not just isolated to an English lesson, but scaffold across history, math, science, and the arts.

Native Language Support Whenever possible, English Language Learners should be provided with academic support in their native language (Thomas & Collier, 2002). Even in English-only classrooms, and even when an instructor is not fluent in a student's language, this can still be done in a number of ways. According to Lucas and Katz (1994), a student's native language serves several important functions: it gives students "access to academic content, to classroom activities, and to their own knowledge and experience". In addition, they found that it also "gave teachers a way to show their respect and value for students' languages and cultures; acted as a medium for social interaction and establishment of rapport; fostered family involvement, and fostered students' development of, knowledge of, and pride in their native languages and cultures". NLA will accomplish this primarily through the use of native language speaking instructional aides who will co-teach lessons, target support for English Language Learners, and provide intervention and tutoring to individuals and small groups.

Instructional Materials for English Language Learners

NLA teachers utilize several instructional materials for English Language Learners including, but not limited to:

- SRA/McGraw Hill Language for Learning K--2,
- SRA/McGraw Hill Language for Reading K--5,

- SRA/McGraw Hill Language for Writing K--5
- Saxon Math English Language Handbook
- National Geographic School Publishing: ELD Leveled Libraries

Supporting English Language Learner Students

Newman Leadership Academy upholds the same rigorous academic and behavioral expectations for every student, regardless of native language, and will implement research-based instructional programs and strategies to meet the specific needs of our ELL students. Our ELL program addresses the process for student identification, curriculum, assessments, reporting, and reclassification as well as professional development and teacher qualifications for working with our ELL students. Supporting our ELL students, the majority of whom we expect will be Spanish speaking, requires that we implement an instructional approach designed to ensure accelerated and effective acquisition of academic English in alignment with our mission of developing life-long learners. It also requires that we respect and value the culture and home language of our students. In order to reach the dual goals of English acquisition and respect for the mother tongue of our speakers of other languages, we will provide a developmentally appropriate and highly structured approach to teaching English in our core academic classes. We will value students' bilingual capacity as a true asset, an admirable and important skill for the present and for their future educational goals. NLA will communicate with parents in their native language as appropriate to ensure all have access to the same information, though English will be the language though of classroom instruction in all core academic subjects. School materials will be available in English and Spanish, and other languages as needed.

Student Identification

Newman Leadership Academy serves its ELL students in accordance with all applicable state and federal laws and regulations. We adhere to the following plan with ELL students:

- As part of the enrollment packet, all parents will complete a Home Language Survey indicating the student's first language and languages spoken in the home.
- We will assess the English proficiency of students whose first language may not be English within 30 calendar days of enrollment using instruments and techniques approved by SBCUSD such as the CELDT.
- Educational programs will be responsive to specific needs of ELL students and in compliance with all state and federal guidelines.
- We will report the number of ELL students attending the school to the district and the state.

In compliance with the Office for Civil Rights (OCR) of the U.S. Department of Education, upon enrollment at NLA, if a parent affirms on the home language survey that the child learned first to speak a language other than English, that the child currently speaks a language other than English, or that a language other than English is spoken in the home, the child will be classified as having a primary home language other than English.

Performance Levels

NLA will recognize the performance level domains listed below as outlined by the California Department of Education. Students will be assessed annually and reclassified according to their academic performance.

Beginning — Students performing at this level of English language proficiency may demonstrate little or no receptive or productive English skills. They are beginning to understand a few concrete details during unmodified instruction. They may be able to respond to some communication and learning demands, but with many errors. Oral and written production is usually limited to disconnected words and memorized statements and questions. Frequent errors make communication difficult.

Early Intermediate — Students performing at this level of English language proficiency continue to develop receptive and productive English skills. They are able to identify and understand more concrete details during unmodified instruction. They may be able to respond with increasing ease to more varied communication and learning demands with a reduced number of errors. Oral and written production is usually limited to phrases and memorized statements and questions. Frequent errors still reduce communication.

Intermediate — Students performing at this level of English language proficiency begin to tailor their English–language skills to meet communication and learning demands with increasing accuracy. They are able to identify and understand more concrete details and some major abstract concepts during unmodified instruction. They are able to respond with increasing ease to more varied communication and learning demands with a reduced number of errors. Oral and written production has usually expanded to sentences, paragraphs, and original statements and questions. Errors still complicate communication.

Early Advanced — Students performing at this level of English language proficiency begin to combine the elements of the English language in complex, cognitively demanding situations and are able to use English as a means for learning in content areas. They are able to identify and summarize most concrete details and abstract concepts during unmodified instruction in most content areas. Oral and written production is characterized by more elaborate discourse and fully developed paragraphs and compositions. Errors are less frequent and rarely complicate communication.

Advanced — Students performing at this level of English language proficiency communicate effectively with various audiences on a wide range of familiar and new topics to meet social and learning demands. In order for students at this level to attain the English---proficiency level of their native English---speaking peers, further linguistic enhancement and refinement are still necessary. Students at this level are able to identify and summarize concrete details and abstract concepts during unmodified instruction in all content areas. Oral and written production reflects discourse appropriate for content areas. Errors are infrequent and do not reduce communication.

Implementation of Structured English Immersion

All ELL students learn with all other students in the regular classroom setting during instructional time. We will incorporate a Structured English Immersion (SEI) approach. The extensive daily literacy block integrates specific strategies to promote English vocabulary acquisition, oral language development, reading comprehension, and writing production. In addition, ELL students attend English language development sessions in small groups as part of the Intervention/Enrichment component of the instructional day to ensure they are progressing in accordance with California’s English Language Development Standards and acquiring proficiency in listening, speaking, reading, and writing necessary to acquire academic skills and content. We accelerate our ELL students’ acquisition of English through our balanced literacy approach, focus on vocabulary development, implementation of targeted instructional strategies, and training for teachers in the most effective practices of SDAIE, all within a safe, structured, supportive school environment.

Instruction in the four core academic subjects of English/Language Arts, Mathematics, Science, and Social Studies will be delivered by teachers who hold or are in the process of obtaining a Cross-cultural, Language and Academic Development (CLAD) Certificate or a Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Certificate. We will work to recruit and hire teachers who are bilingual in English and Spanish to ensure appropriate academic support and effective communication with parents.

To accelerate language development, skill, and content mastery simultaneously, we will train and support our teachers to implement research-based strategies. Outlined below are several strategies that we will use to enhance the language acquisition and learning of our ELL students.

Provide Reading Interventions:

Recognizing that ELLs are often at risk for reading problems, the strongest programs respond quickly to the results of formative assessments by offering small group reading intervention for struggling readers that augments the core reading program. We will provide these interventions during daily literacy blocks and during the Intervention/Enrichment period of the school day.

Teach Academic Vocabulary:

One of the most critical components in language acquisition is vocabulary development. In order to be able to read and understand grade---appropriate material, it is estimated that elementary students need to learn 3000 to 4000 new vocabulary words each year. In the most effective schools, students are taught vocabulary through formal instruction as well as through authentic use in language---rich

settings in and out of the classroom. NLA teachers will provide formal vocabulary instruction using essential word lists and words in context by using Marzano's six step process of vocabulary instruction.

Develop Academic English:

For ELL students to achieve academic success, it is imperative for them to develop cognitive academic language proficiency (CALP), and not simply the basic interpersonal communication skills (BICS) of social language. CALP includes not only the content area vocabulary specific to academic subjects, but also the sophisticated use of language necessary to carry out higher-order academic tasks such as comparing, synthesizing, and inferring. Explicit vocabulary development will be integrated into all subjects and will include application to higher-order academic tasks.

Schedule Peer Learning:

Students improve their mastery of language through use. The Department of Education's recommendation is that a minimum of 90 minutes a week should be dedicated to activities that allow students to work together to provide practice and extension of language skills. One way we will concretely address this recommendation throughout the instructional day is through students working in partners and small cooperative learning groups, which, when facilitated effectively each day, provide a significant cumulative increase in authentic language practice. Furthermore, English language development sessions during daily Intervention/Enrichment time will utilize structured oral response, role-play, pair-share, and conversation techniques to provide speaking practice and authentic application of language.

Assessment, Classification, Monitoring, and Reclassification Criteria

Students who have been identified as ELL will be assessed on an ongoing basis to determine improvement in English proficiency, in accordance with the State of California Guidelines. Students will take the CELDT assessment annually to measure English Language Development. Students will be initially classified and reclassified each year according to the guidelines outlined by the CELDT and the State of California. Appropriate assessments, instruction and interventions will be conducted to ensure students are reclassified early and appropriately. All guidelines for the assessment, classification, monitoring, and reclassification of English Learners, as outlined and required by the California Department of Education will be strictly followed.

Using the CELDT as the primary criterion, students whose overall performance level is Early Advanced or higher and have scores of intermediate or higher in listening, speaking, reading, and writing will be considered for reclassification. Those students whose overall performance level is in the upper end of the intermediate level may be considered for reclassification if additional measures determine the likelihood that a student is proficient in English.

Metrics to assess the progress of our ELL students include:

- ELL students are making strong academic progress as measured by school-based interim assessments
- ELL students are classified as proficient in English in three years or less

- ELL students are proficient in English/Language Arts as evidenced by proficiency on state and other standardized exams
- ELL students are meeting promotion standards to advance from grade level to grade level, evidencing mastery of foundational skills and core subjects on par with native English--- speaking students

If students are not making sufficient academic progress as indicated through CELDT results and other formal and informal assessments, we will implement plans to provide further academic support.

English Language Facilitator

Newman Leadership Academy has an English Language Facilitator, who leads a team which consist of teachers and an administrator. The Team coordinates the annual testing, notification of parents, reclassification process, review of student assessments, student language support services, and teacher supports. The Team, together with the classroom teacher and parents, help identify the English Learner student's academic needs and quickly determine how to best address and correct any learning gaps.

English Learner Advisory Committee (ELAC)

Newman Leadership Academy administrators will facilitate the establishment of an ELAC committee when the number of EL students increases to the minimal requirements. Parents of English Learners will be invited to participate in the school's English Language Advisory Council. This group receives information about curriculum, instruction, program evaluation, and budget and provides valuable input for ongoing program improvement.

High Achieving Students

NLA believes that all students are entitled to a curriculum that offers the best of what we know about education, which is normally reserved for students identified as gifted. Students who demonstrate an ability to achieve beyond grade level as well as any students who want the challenge, will be provided unlimited opportunities to study the core curriculum in-depth at an accelerated pace. This advancement opportunity allows for novelty in student outcomes while emphasizing higher levels of cognition.

Students may be identified as high achievers in Grades 2-6. Students who are identified as high achieving may be clustered in academic peer groups in each class using flexible academic groupings and specialized programs as needed. Teachers will provide a qualitatively differentiated curriculum according to California State guidelines.

Intended Goals and Outcomes for High Achieving Students at NLA

At NLA, all teachers participate in and contribute to the academic goals of high achieving students as all teachers may have high achieving students in their classroom and are responsible for meeting these students' needs.

1. High achieving students at NLA receive differentiated instruction during Language Arts and Mathematics, including use of differentiated materials addressing algebraic and logic

instruction that reflects advanced levels of thinking (synthesis and evaluation). Teachers regroup or cluster students for instruction. Teachers plan for horizontal curriculum alignment through grade-level meetings, as well as vertical curriculum alignment between grade levels to ensure a continuum of learning that reflects one or more years above grade level.

2. High Achieving students at NLA study the same core curriculum as their peers in social studies, science, music and art, however, these students have opportunities to study topics in detail and be required to demonstrate their understanding through projects, experiments, and other means of creative expression. Teachers continually modify instructional strategies to include flexible groupings and hands-on learning experiences.

High achieving students at NLA participate within the regular classroom as a means of developing and encouraging social awareness and understanding. Each teacher will participate in the organization of classroom populations, addressing the school goals for the high achieving students and using the enrichment periods/time (art, music, computer, library time, and P.E.) to further the opportunity for differentiated instruction time.

Student Assessment and Evaluation of High Achieving

1. Teachers continually assess program design and progress at grade level meetings; and, teachers make reports to parents/guardians and committee members at Curriculum Committee meetings.
2. Students keep portfolios and participate in self-assessments, demonstrating achievement of curricular standards appropriate to a higher-grade level.
3. Students make presentations to parents/guardians.
4. Teachers analyze Smarter Balance results and other assessments of advanced performance such as participation in national math competitions to determine the strengths and weaknesses of programs in place.

Students Achieving Below Grade-Level and Other At-risk Students

At NLA low-achieving students are identified as students who achieve at the lowest quartile on a standardized test and are not demonstrating academic and developmental progress in the classroom. At the beginning of the school year, as class rosters are populated, school staff uses the Mastery Connect program to review and analyze student performance on the state standardized tests. Teachers identify those students in their classes and their particular needs and provide them with additional classroom support. A major emphasis of the NLA curriculum structure and instructional strategies outlined here is to maximize the learning opportunities of low-achieving students. Low-achieving students are integrated into the entire student body at the school and participate fully in all aspects of the curriculum. We have high expectations, and with support systems for all NLA students, we expect to exceed our performance goals.

Parents receive student progress reports every trimester, and teachers contact parents/guardians by phone or email as soon as a problem is noticed. Parents/guardians of low-achieving students, those who are not demonstrating grade level skills and abilities, are contacted personally by the end of the sixth week of the school year. Students achieving below grade level in more than one area may be

referred for a Student Success Team (SST) meeting. A student can be referred for an SST meeting by a parent/guardian, or a faculty or staff member. Once referred, the campus SST coordinator contacts the parent/guardian and meets with the teacher to gather background information, as well as observes the student in class. Once data has been gathered, the SST, comprised of at least the parent/guardian, teacher, and SST coordinator, meet to discuss appropriate interventions and accommodations for the student. Often students are referred to the Extended Learning Program, which meets afterschool to provide students with additional instruction to target their academic deficits. The SST Team reconvenes periodically throughout the year to monitor student progress and modify the plan as needed. At the end of the second grading period, parents/guardians will be notified if their student has not made sufficient progress towards meeting the standards for promotion. They will be informed at another SST meeting the standards their student is still not performing at grade level.

Teachers at NLA will use paraprofessionals for academic support and reinforcement. The on-site after-school program will work collaboratively with the teaching staff at NLA to make the after-school program an extension of the learning during the school day.

Identifying Students Performing Below Grade Level

NLA screens the following data to identify at-risk students:

1. Students scoring in the lowest quartile on a standardized test in any one subtest score in reading, Language Arts, or math
2. Students identified by informal teacher assessment or prior progress reports who are at least one year below grade level in the areas of reading, written language and math
3. Students scoring consistently below standard in Claim Achievement levels in found in the California Assessment of Student Performance and Progress (CAASPP) system

Intended Goals and Outcomes of Students Performing Below Grade Level

1. NLA works to raise the test scores of our low-performing students by at least five percentage points each year. Low-performing students will have their achievement test scores individually monitored, comparing their progress from year to year.
2. All students performing below grade-level will be recommended to attend the after-school program for additional support (i.e., tutoring)

Identifying Students Performing Below Grade Level

NLA screens the following data to identify at-risk students:

4. Students scoring in the lowest quartile on a standardized test in any one subtest score in reading, Language Arts, or math
5. Students identified by informal teacher assessment or prior progress reports who are at least one year below grade level in the areas of reading, written language and math
6. Students scoring below basic or far below basic on the former California Standardized Test or more recent Smarter Balance Exam.

Intended Goals and Outcomes of Students Performing Below Grade Level

2. NLA works to raise the test scores of our low-performing students by at least five

percentage points each year. Low-performing students will have their achievement test scores individually monitored, comparing their progress from year to year.

All students performing below grade-level will be recommended to attend the after-school program for additional support (i.e., tutoring).

Strategies to Improve the Performance of Below Grade-Level Students

1. By the end of the eighth week of school attendance, all parents/guardians of students at NLA, identified as low achieving, will have been informed of their student's academic standing.
2. At Back to School Night and parent/guardian education workshops, parents/guardians will be given specific suggestions as to how to help their student at home.
3. A list of available tutoring, library and enrichment resources will be developed and made available for parents/guardians of all students.
4. Staff development sessions will be devoted to differentiated instruction, including how to meet the needs of both low achieving students and gifted/talented students.
5. In the classroom, paraprofessionals and volunteers will provide individualized assistance as directed by the teacher.
6. Preparation and follow-up activities, such as field trips, guest speakers and assemblies, will focus on language development and conceptual understanding of material presented and/or experiences shared.
7. A centralized list of targeted low-achieving students will be maintained by the administrator to monitor student progress and to track services. Confidentiality will be maintained at all times.
8. Annual assessments of strategies will be conducted.
9. A parent/guardian outreach coordinator will work with parents to devise strategies to involve all parents/guardians in school programs that support meeting the needs of all students.

Students of Low Socioeconomic Status

The majority of students at NLA are students of low socioeconomic status. A major emphasis of the NLA curriculum structure and instructional strategies is to maximize the learning opportunities of low socioeconomic students. Low socioeconomic students often come to school with lower levels of academic and social readiness and may not have as many opportunities for intellectual enrichment outside of school.

Upon registering for NLA, students are given an online assessment to determine their academic, social, and emotional readiness to enter into kindergarten. Those students who have yet to achieve basic academic, social, and developmental skills to succeed in kindergarten will be given additional readiness support through Transitional Kindergarten placement.

Once enrolled in school, students of a low socioeconomic status are identified for additional intervention if they are either: 1) achieving below grade level, or 2) experiencing social, emotional, or behavioral challenges.

In addition to the process and interventions listed for students achieving below grade level, low SES students who are not experiencing success are referred to additional family resources including individual and family counseling, adult mentors, and referrals to community resources. The role of the adult mentor is to work with the student and the family to help navigate the academic system, to develop those habits at school and at home necessary for academic success, and to act as a positive adult role model for the student.

Serving Students with Disabilities

Overview

The Charter School complies with all applicable state and federal laws 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”).

The Charter School is categorized as a public school of the District in accordance with Education Code Section 47641(b).

The Charter School 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 shall utilize appropriate SELPA forms.

Section 504/ADA

NLA is solely responsible for its compliance with Section 504 and the ADA. All facilities of the school will be accessible for all students with disabilities in accordance with the ADA.

NLA adopts a policy, administrative regulations, and parent-student rights outlining the requirements for identifying and serving students with a 504 accommodation plan. NLA 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 NLA. 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 Charter School.

A 504 Team is assembled by the site administrator and shall include the parent or guardian, the student (where appropriate) the teacher, and any other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 Team reviews the student’s existing records, including academic and 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 to be ineligible), those evaluations may be used to help determine eligibility under Section 504. The student evaluation will be carried out by the 504 Team, which will evaluate the nature of the student’s disability and the impact upon the student’s education. This evaluation includes 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 including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence 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 required to ensure a free and appropriate education. The school shall be responsible for defending itself against any claims associated with the implementation of a 504 Plan and shall also be responsible for any judgments arising from such claims. 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 modification that may be necessary. 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 appropriateness of the plan, needed modifications, and continued eligibility.

Services for Students under the "IDEIA"

The following description regarding how special education and related services will be provided and funded is being proposed by the Charter School for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the District. The specific manner in which special education and related services will be

provided and funded shall be set forth in a Memorandum of Understanding (“MOU”), delineating the respective responsibilities of the Charter School and the District, which MOU shall be executed at least three (3) months prior to the commencement of operation, or as otherwise agreed upon by the parties. The following provisions are meant to summarize the Charter School Petitioner’s understanding of the manner in which special education instruction and related services shall be provided by the Charter School and the District. The following language mirrors the typical “industry standard” arrangement between a school district and a charter school and aligns with State and Federal law which requires that students in charter schools receive special education and related services in the same manner as any other student in the District. The language that follows is not meant to unilaterally bind the District, or to preclude alternative arrangements between the District and the Charter School as agreed upon in a MOU:

The Charter School intends to provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area (“SELPA”). The Charter School shall remain, by default, a public school of the District for purposes of Special Education purposes pursuant to Education Code Section 47641(b). However, after two years of operation under this charter, the Charter School reserves the right to make written verifiable assurances that the Charter School shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium.

As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools. The Charter School will follow the District and SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified pupils. An annual meeting between the Charter School and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, will ensure that the Charter School and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

As long as the Charter School functions as a public school of the District solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), then we would anticipate that a Memorandum of Understanding (“MOU”) would be developed between the District and the Charter School which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of the School.

The District shall be designated the Local Educational Agency (“LEA”) serving Charter School

students. Accordingly, the Charter School shall be deemed a public school of the District pursuant to Education Code Section 47641(b) and 47646(a). The Charter School agrees to adhere to the requirements of the Local Plan for Special Education and to District policies. As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools.

The Charter School acknowledges the importance of cooperating with the District so that the District can provide special education services to Charter School students. The Charter School agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law. The Charter School believes that the allocation of responsibility for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan (“IEP”) development, modification and implementation) shall be divided in a manner consistent with their allocation between the District and its school sites.

Staffing

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEIA. Charter School staff shall participate in all mandatory District in---service training relating to special education.

It is the Charter School’s understanding that the District will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists unless the District directs the Charter School that current District practice is for the individual school sites to hire site special education staff or the District and the Charter School agree that the Charter School must hire on---site special education staff. In that instance, the Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to District and SEPLA policies, as well as meet all legal requirements. The District may review the qualifications of all special education staff hired by the Charter School (with the agreement of the District) and may require pre---approval by the District of all hires to ensure consistency with District and SELPA policies. The District shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow District policies as they apply to all District schools for responding to implementation of special education services. The Charter School will adopt and implement

District policies relating to notification of the District for all special education issues and referrals.

The Charter School shall follow District policies as they apply to all District schools for notifying District personnel regarding the discipline of special education students to ensure District pre-approval prior to imposing a suspension or expulsion. The Charter School shall assist in the coordination of any communications and immediately act according to District administrative policies relating to disciplining special education students.

Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement District and SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

It is the Charter School's understanding that the District shall provide the Charter School with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that the Charter School is provided with notification and relevant files of all students who have an existing IEP and who are transferring to the Charter School from a District school. The District shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.

The Charter School will follow District child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the District's general practice and procedure and applicable law. The Charter School shall work in collaboration with the District to obtain parent/guardian consent to assess Charter School students. The Charter School shall not conduct special education assessments unless directed by the District.

IEP Meetings

It is the Charter School's understanding that the District shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings or

as otherwise agreed upon by the District and Charter School: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEIA; the student's special education teacher; the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. It is the Charter School's understanding that the District shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.

IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the District's IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the District and of the SELPA and State and Federal law.

The Charter School shall promptly notify the District of all requests it receives for assessment, services, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

IEP Implementation

Pursuant to District policy and how the District operates special education at all other public schools in the District; the District shall be responsible for all school site implementation of the IEP. The Charter School shall assist the District in implementing IEPs, pursuant to District and SELPA policies in the same manner as any other school of the District. The District and Charter School will need to be jointly involved in all aspects of the special education program, with the District holding ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the District and the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School's non---special education students, whichever is more. The Charter School shall also provide all home---school coordination and information exchange unless directed otherwise by the District. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the District. The Charter School shall comply with any directive of the District as relates to the coordination of the Charter School and District for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the District of relevant circumstances and communications immediately and act according to District administrative authority.

Interim and Initial Placements of New Charter School Students

For students who enroll in the Charter School from another school district outside of the SELPA with a current IEP, the District and the Charter School shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the District and the Charter School shall implement the existing IEP at the Charter School, to the extent practicable or as otherwise agreed between the District and parent/guardian.

Non--Public Placements/Non--Public Agencies

The District shall be solely responsible for selecting, contracting with, and overseeing all non-- public schools and non--public agencies used to serve special education students. The Charter School shall not hire, request services from, or pay any non--public school or agency to provide education or services to special education students without the prior written approval of the District. The Charter School shall immediately notify the District of all parental requests for services from non--public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

The Charter School shall follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. The Charter School shall immediately notify the District of any concerns raised by parents. In addition, the Charter School and the District shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The District's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall allow the District access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

The Charter School and the District shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The District, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and the Charter

School shall comply with the District's decision.

The Charter School and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

The District may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the District determines such action is legally necessary or advisable. The Charter School agrees to cooperate fully with the District in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the District and the Charter School shall work together to defend the case. In the event that the District determines that legal representation is needed, the Charter School agrees that it shall be jointly represented by legal counsel of the District's choosing.

The Charter School understands that the District shall have sole discretion to settle any matter in mediation or due process. The District shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

SELPA Representation

It is the Charter School's understanding that the District shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the District.

Funding

The Charter School understands that it will enter into a MOU with the District regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the District and the Charter School. The Charter School anticipates, based upon State and Federal law that the fiscal relationship could be summarized as follows

Retention of Special Education Funds by the District

The District shall retain all state and federal special education funding allocated for Charter School students through the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

Retention of ADA Funds by the District for Non---Public Placements

The Parties acknowledge that the District may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other District schools, in other public school districts within the SELPA, in a County Office of Education program, in a non--public school, at home, at a hospital, or in a residential program. When such programs or services are provided at District expense, the District shall be entitled to receive from the Charter School the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at the Charter School site.

Contribution to Encroachment

The Charter School shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, the Charter School shall pay to the District a pro--rata share of the District's unfunded special education costs ("Encroachment"). At the end of each fiscal year, the District shall invoice the Charter School for the Charter School's pro--rata share of the District--wide Encroachment for that year as calculated by the total unfunded special education costs of the District (including those costs attributable to Charter School) divided by the total number of District ADA (including Charter School students), and multiplied by the total number of Charter School ADA. The Charter School ADA shall include all Charter School students, regardless of home district.

What It Means to be an "Educated Person" in the 21st Century

NLA believes the path to college begins in elementary school. Therefore, the education experience students of NLA receive will prepare them for high school, college, leadership, and to be lifelong learners. NLA students matriculate to middle school with the skills and attributes listed below that are critical for all 21st century learners:

- Students think creatively and critically.
- Students have problem solving skills and will develop learning and reasoning skills to prepare for life-long learning.
- Students are able to set short- and long-term goals.
- Students have a deep understanding of the Humanities, Sciences, Mathematics and the Arts.
- Students are able to use technology as a tool in the pursuit of continued learning.
- Students are able to communicate effectively and in many forms.
- Students possess the attributes of responsibility, citizenship, sociability, diligence, civility, integrity, and honesty.
- Students are able to work with people of various backgrounds.

ELEMENT 2

MEASURABLE STUDENT OUTCOMES

Governing Law: "The measurable student outcomes identified for use by the charter school. "Student outcomes," for purposes of this part, means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as

goals in the school's educational program." Education Code 47605(b) (5) (B).

Newman Leadership Academy's student outcomes will address the State Content and Performance Standards in each of the core academic areas of math, language arts, science, and history/social science. To monitor student learning and school performance, NLA has implemented the following assessment tools and measures. Each of these measures has been designed carefully to align the mission, curriculum and assessments of the school:

Assessment Tool Name	When Administered	Purpose for Administering	Performance Goals
CAASPP System Core Content Areas	Annual State Assessment	Measures the achievement of California CommonCore State Standards in English/Language Arts, Mathematics, science, and history---socialscience (for grades two (2) through five (5)) Measures fourth(4 th) grade students' writing performance against State Writing Applications' content standards requiring students to produce: narratives, summaries, information reports and responses to	By the third year of operation, NLA will meet or exceed the average CAASPP scores in English/Language Arts and Math of the nearest elementary schools serving similar student populations.
Report Cards and Progress Reports as Summative Assessments	Trimester	Report cards and progress reports give students and parents/guardians detailed information regarding student performance	By the third year of operation, all students will earn grades of 2-3 (in a 1-4 scale) or higher in all core academic courses. All students will demonstrate growth throughout the school year and from year to
Formative assessments such as: --- Informal Assessments --- Guided Practice Activities --- Anecdotal Observations --- Portfolio Assessment	As Needed Daily Daily Monthly	Enhances effective teaching by providing regular monitoring and demonstration of student learning To monitor NLA student growth over time and inform instruction	These are formative assessments; thus, performance goals are dependent upon student performance.

<p>Publisher---developed Assessments: "Treasures" or Pearson Language Arts</p> <p>--- Treasures or Pearson Benchmarks</p> <p>--- McMillan McGraw---Hill Math</p> <p>--- Math Placement Pre-test K-1</p> <p>--- Math Placement Pretest 2-6</p> <p>--- Benchmark Assessments</p>	<p>Weekly/every 5 lessons</p> <p>Every 8 weeks (2 units)</p> <p>Weekly/ every 5 lessons</p> <p>Beginning and Mid---year</p> <p>Beginning of year</p> <p>Per trimester</p>	<p>To determine student performance in meeting standards based lesson objectives and modify instruction</p> <p>To determine skill and ability levels for proper placement</p> <p>To determine student performance in meeting standards based lesson objectives and adjust instruction</p> <p>To determine student performance in meeting standards based lesson objectives and adjust instruction</p>	<p>All students will master core academic skills in reading and mathematics scoring 80% or higher.</p>
<p>--- Social Science and Science</p>	<p>Per Unit</p>		
<p>Teacher-Led and Student-Led Parent/Guardian/Teacher Conferences</p>	<p>Twice (2 times) a year and on an as-needed basis</p>	<p>Teacher and student led conferences give teachers and students forums to discuss their achievement with parents/guardians</p>	<p>Students will demonstrate ability to articulate cross---curricular relevance of academic concepts through the creation and narration of an academic portfolio.</p>

School's Assessment Plan

NLA uses Power School to track data underlying the principles of our academic model. Teachers update and analyze data for individual students. In addition to PowerSchool, NLA uses Mastery Connect, which facilitates data analysis and allows us to compare and monitor student progress over time. Benchmark assessments are created and used through Mastery connect. The principal and teachers of NLA will regularly review student achievement data to identify students needing intervention.

- Individual Learning Plans
- Baseline scores from CAASPP system
- Scores from Mastery Connect
- Link from LCAP

Benchmark Skills

Benchmark skills (i.e., skills needed to progress to each consecutive grade or skill level) and specific classroom-level skills (those taught in each subject/grade) will be developed. Student progress towards meeting benchmark skills will be monitored and used to inform instructional planning.

Performance Outcomes and Goals

NLA is expected to reach the established school-wide outcomes set by the NLA leadership and Board of Directors. These goals form the basis for how the principal and families are likely to evaluate the school's progress.

Outcome	Method of Measurement
Maintain an average daily attendance of more than 95%	Attendance reports
Place in the top two deciles of API Similar School rankings and reach a minimum of a 650 API rank in the first year; meet or exceed the annual API growth target	Academic Performance Index Reporting
100% parent/guardian participation as volunteers	Parent/Guardian Participation Reports
75% of parents/guardians will score the school as excellent or good on general parent satisfaction surveys	End of Year Survey
It is the goal of NLA to make Adequate Yearly Progress (AYP) as defined by the No Child Left Behind Act	Determination of Annual AYP Report
By the fourth year of operation, NLA will meet or exceed the average CAASPP scores in English/Language Arts and Math of the nearest elementary schools as compared school--wide and to reportable subgroups	CAASPP system Results

NLA English Learner students will increase in English proficiency levels by at least one year annually as measured by the CELDT until re---designated as Fluent English Proficient	CELDT Results
Special Education students will meet the annual goals established in their IEPs	Annual IEP Reviews

NLA acknowledges that as the school becomes more familiar with its targeted student population, student outcomes and school-wide performance goals may need to be modified over time.

Grading Policy

Grades K-6: progress reports will be issued twice a year and report cards will be issued once per trimester.

Students will receive number grades for all assignments. The grading scale is:

4= Standard Levels Exceeded

3= Standards Level Met

2= Standards Nearly Met

1= Standard Not Met

Effort grades “E”, “G”, “N” will be issued for support classes and work habit categories in grades K-6:

E Excellent

G Good

N Needs Improvement

Assessment

The curriculum and assessment systems of NLA are grounded by the California Common Core Content Standards and State Frameworks. NLA works cooperatively with the District to monitor progress in meeting student outcomes.

Throughout the year, teachers use a variety of assessment data including short-term and long-term projects, portfolios, chapter tests, and classwork to continually monitor student progress as well as to adapt curriculum and develop effective instructional strategies. In addition to the required State-adopted text assessments, benchmark assessments will be given every trimester in the areas of English/Language Arts and Mathematics to determine flexible groupings for remediation and extension activities. Teachers regularly use various assessments to evaluate, adjust and plan future instruction. NLA teachers’ conference with students and parents/guardians to discuss student mastery of the content areas.

Higher-order and critical thinking skills are assessed on a daily basis through the use of open-

ended questions that have more than one correct solution, problem-solving in cooperative groups, hands-on activities, writing using the "writing process," solving analogies and predicating outcomes.

At the beginning of the school year, achievement test and Standardized Test scores from the previous year are analyzed. Teachers are given a list of students who scored at the Standard Not Met Level in core subjects. Students that did not reach benchmarks on the last periodic subject assessments from the previous year are also identified. Scores from the achievement tests, CAASPP and periodic assessments are used to determine differentiation from at risk to high achieving students. Low-performing students are monitored from year to year.

At NLA, teachers serve as testing coordinators to ensure that State student assessments, including achievement tests, CAASPP, and CELDT are administered. Teachers at NLA are also involved with ongoing professional development that directly addresses assessment. NLA will conduct all applicable State student assessments pursuant to Education Code Section 47605(c).

The Newman Leadership Academy staff will use informal and formal assessments to monitor student progress in mastering grade level standards in all subject areas. This progress will be shared with parents/guardians through periodic progress reports, report cards, teacher conferences, and additional means as necessary.

NLA gives students an opportunity to demonstrate their growth in non---academic areas such as leadership and citizenship. Students attend regular assemblies where they are recognized for being hard working, responsible, honest, and respectful.

Testing

If NLA does or does not test (i.e., CAASPP, CELDT) with the District, a copy of the school's test results will be submitted to the District on a CD on or before September 30, immediately following that spring's test administration, except that the CELDT results will be submitted to the District no later than two (2) weeks after receipt of the CD from the State's vendor.

CAASPP is administered by NLA. The Principal names a testing coordinator before September 1 of the school year. The testing coordinator from NLA works with the principal to ensure all deadlines are met, training is properly completed, and testing protocol is diligently followed. CAASPP is administered within the appropriate testing window as defined by the California Department of Education. These dates are placed on the master calendar prior to the start of the school year for all stakeholders of NLA.

NLA complies with State and federal law in collecting and reporting student and school performance and demographic data. This includes preparation and distribution of an annual School Accountability Report Card ("SARC") to provide parents/guardians and the community with descriptive and comparative information about the school.

NLA collects and analyzes student performance data each year and utilizes the data to monitor and improve and report to the San Bernardino City Unified School District on NLA's program, including but not limited to, the following:

- Summary of data showing student progress toward the goals and outcomes listed above. This data will be displayed on both a school wide basis and disaggregated by grade level and subject area categories to the extent feasible without compromising student confidentiality
- Review of each component of the NLA Charter for compliance
- A summary of major decisions and policies established by the NLA Board of Directors during the year
- Data on the level of parent/guardian involvement in the NLA's governance (and other aspects of the school, if applicable) and summary data from an annual parent/guardian and student satisfaction survey
- Data regarding the number of staff working at the school and their qualifications and verification of credentials
- A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year
- Information on outreach practices
- An overview of the NLA's admissions' practices during the year and data regarding the numbers of students enrolled, the numbers on waiting lists and the numbers of students suspended and/or expelled
- Other information regarding the educational program and the administrative, legal and governance operations of NLA relative to compliance with the terms of the charter, in general
- Copies of any other documentation requested by the San Bernardino City Unified School District.

NLA and the San Bernardino City Unified School District will jointly develop the content, evaluation criteria, timelines and process for the annual performance report. NLA will use the information compiled in the performance report to evaluate and improve upon its educational program as needed.

NLA shall submit to a random, unannounced site visitation process to enable the District to gather information needed to confirm the school's performance and compliance with the

terms of this charter. Pursuant to Education Code Section 47604.3, NLA shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records from the District. NLA shall submit all financial reports required under Education Code Sections 47604.33 and 47605(m) according to the specified timelines.

ELEMENT 3

METHODS TO ASSESS STUDENT OUTCOMES

Governing Law: A description of "the method by which student progress in meeting the student outcomes will be measured." Education Code 47605(b)(5)(C)

NLA curriculum and assessment systems are grounded by the California Content Standards and State Frameworks. NLA continues to work cooperatively with the District to monitor progress in meeting student outcomes.

Throughout the year, teachers use a variety of assessment data, including short-term and long-term projects, portfolios, chapter tests, and classwork to continually monitor student progress as well as to adapt curriculum and develop effective instructional strategies. In addition to the required State-adopted text assessments, benchmark assessments are given every trimester in the areas of English/Language Arts and Mathematics. These assessment systems are also used to assess students in English Language Arts and Mathematics and the results determine flexible groupings for remediation and extension activities. Teachers regularly use various assessments to evaluate, adjust and plan future instruction. NLA teachers will conference with students and parents/guardians to discuss student mastery of the content areas.

NLA uses a variety of student groupings within each classroom. A wide variety of instructional strategies are employed to meet the differing needs of students at each grade level. These include, but are not limited, to: 1) cooperative learning, 2) flexible grouping, 3) partner reading, 4) choral reading, 5) listening center, 6) D.E.A.R., 7) journal writing, 8) written and oral reports, 9) plays, and 10) role---playing.

Higher order and critical thinking skills are assessed on a daily basis through the use of open---ended questions that have more than one correct solution, problem---solving in cooperative groups, hands---on activities, writing using the "writing process," solving analogies and predicting outcomes.

At NLA the mathematics program strives to produce masters of math. Therefore, a variety of instructional strategies and strict adherence to the McMillan McGraw-Hill math program are used to ensure that all students have multiple opportunities to learn the mathematical concepts and skills. The mathematics program is designed to encourage not only the mastery of specific skills, but also to encourage the use of higher-order and critical thinking skills on a daily basis. Math is also integrated in other subject curriculum, including social studies, science, and reading.

Teachers plan and team at the different grade levels to best meet student needs. Teachers

departmentalize subjects to meet all students' needs.

To meet the needs of all students, instructional strategies, which employ visual, auditory, and kinesthetic modalities, are used with the teaching of all subject areas. Higher order and critical thinking skills are developed through questioning, researched, and process writing. A new 21st century computer lab supports the cross---curricular standards in grades two through five. Classes are regularly scheduled into the lab. Technology integration builds through grades from keyboarding to research and presentation skills.

Use and Reporting of Data

At the beginning of the school year, achievement tests and CST scores from the previous year are analyzed. Teachers are given a list of students who did not meet standards in specific subjects. Also on the list are students that did not reach benchmark on the last periodic subject assessments from the previous year. Scores from the achievement tests, CST and periodic assessments are used to determine differentiation from at risk to high achieving students. Low---performing students are monitored and supported from year to year.

At NLA, the Principal selects one or more teachers to assist with various duties related to coordinating State testing. The Principal and teachers complete required testing training each year and fully implement the testing program so that all required student assessments including achievement tests, CAASPP, CELDT, and Physical Fitness tests are administered. The Principal and the testing coordinator communicate with the District and comply with all District testing requirements. The Teachers at NLA are also be involved with ongoing professional development directly addressing assessment.

NLA conducts student assessments pursuant to EC47605(c).

Newman Leadership Academy staff uses informal and formal assessments to monitor student progress in mastering grade level standards in all subject areas. This progress is shared with parents through periodic progress reports, report cards, parent-teacher conferences, and additional means as necessary.

Testing

If NLA does or does not test (i.e., CAASPP, CELDT) with the District, NLA hereby grants authority to the State of California to provide a copy of all test results directly to the San Bernardino City Unified School District as well as to NLA.

NLA meets all state and federal accountability measures for API and AYP each year.

Federal NCLB Compliance

To the extent that NLA is a recipient of federal funds, including Federal Title I, Part A funds, NLA 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. NLA 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, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other

mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents/guardians at the beginning of each school year of their “right to know” the professional qualifications of their student’s classroom teacher including a timely notice to each individual parent/guardian that his/her 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/guardians of participating children, a school---parent compact.
- Hold an annual Title I meeting for parents/guardians of participating Title children.
- Develop jointly with, agree with, and distribute to, parents/guardians of participating children a written parent/guardian involvement policy.

NLA understands that as part of its oversight of the school, the San Bernardino City Unified School District may conduct program review of federal and state compliance issues.

ELEMENT 4

GOVERNANCE STRUCTURE

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

Legal Description – An Independent Public Charter School

Newman Leadership Academy is an independent, site-based, public charter school within San Bernardino County operating as NLA, a California nonprofit public benefit corporation. Per Education Code Section 47604(c), Newman Leadership Academy operates as a California non-profit public benefit corporation and operates within the terms and conditions specified in this petition. NLA is non-sectarian in its programs, admissions’ policies, employment practices, and all other operations. NLA does not charge tuition and will not discriminate against any student on the basis of the characteristics listed in Section 220 of the Education Code (actual or perceived disability, gender, nationality, race or ethnic background, 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).

NLA complies with all federal, state, and local laws, regulations, and ordinances that are applicable to California charter schools, including those related to zoning, occupancy, construction, health, and safety. The school secures general liability insurance, workers’ compensation and unemployment insurance.

In accordance with Education Code Section 47604(c) the school district in performing its oversight of the charter school as required by Education Code Section 47604.32, shall not be liable for the debts or obligations of the charter school, or for claims arising from the performance of acts, errors, or omissions by the charter school, if the authority has complied with all oversight responsibilities required by law.

Newman Leadership Academy is a California Nonprofit Public Benefit 501(c)(3) corporation for educational and public purposes. NLA's Articles of Incorporation and Bylaws are attached as Appendix D, and the Conflict of Interest Policy and Code for Newman Leadership Academy are attached as Appendix E. If there are any conflicts between the Bylaws and the petition, the petition shall prevail.

Throughout this Charter and any attachments, exhibits, and/or appendices hereto, any and all references to NLA and/or the Charter School and/or the School shall apply with full force and effect to the school itself and the non-profit 501(c)(3) NLA corporate entity, and for all purposes related to this Charter or the operations of NLA, both the School and NLA, to the extent that they are separate entities, shall be fully obligated to comply with the provisions of this Charter and any attachments, exhibits and/or appendices hereto, without regard to whether one or both of those entities is referenced or specifically listed or identified therein.

Throughout this Charter and any attachments, exhibits, and/or appendices hereto, anytime that Newman/NLA states that it will follow the requirements of a particular Section of the Education Code or other law, it means that Newman/NLA will comply with these laws in the same manner as required for California noncharter public schools, except where otherwise specified.

Should the provisions of this Charter conflict with the Articles of Incorporation, Bylaws, policies, or practices of the School or the corporation, the provisions of this Charter shall prevail. NLA shall provide written notice to SBCUSD of any proposed revisions to the Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revision(s) by the NLA governing board. Should SBCUSD consider the proposed revision(s) to be a material revision to NLA's governance structure or Charter, NLA may not formally adopt such revision(s) unless and until the revision(s) is first approved through the process set forth in Education Code section 47607 for material revision to the Charter. Should NLA adopt revision(s) to its Articles of Incorporation and/or Bylaws in accordance with these requirements, it shall provide a final copy of the revised document to SBCUSD within three (3) business days of the adoption of such revision(s). NLA shall provide to SBCUSD copies of all of its Governing Board agendas (including all backup materials), and agendas (including all backup materials) of any other boards and committees, on or before the date required for posting of such agendas in compliance with the Brown Act.

NLA will adhere to the Political Reform Act (Government Code section 81000, et seq.) and will adopt and promulgate a conflict of interest code that incorporates by reference the Fair Political Practices Commission's standard conflict of interest code at 2 CCR section 18730.

NLA shall ensure in its corporate Bylaws that one NLA Board representative is reserved for a parent of a student currently attending a charter school operated by NLA, subject to any other the limitations set forth in the NLA Bylaws.

By the terms of this Charter, the Charter School and NLA are obligated to comply with the requirements of Government Code Section 1090 *et seq.*, the Political Reform Act, the Brown Act, and the California Public Records Act to the same extent as if the Charter School were a noncharter California public school district regardless of any arguments regarding the applicability generally of those laws to California charter schools. In the event that the laws/rules/provisions of Government Code Section 1090 *et seq.* and the Political Reform Act of 1974 permit an action or means of taking action that is restricted or prohibited by the other conflict of interest statute's laws/rules/provisions, the most restrictive law/rule/provision shall control.

Board of Directors

NLA is governed by its Board of Directors ("Charter Board"). The Charter Board (a California Non-Profit Public Benefit Corporation) has a legal fiduciary responsibility for the well-being of the school. Among its duties, the Charter Board will set the terms and working conditions for all employees and will do so consistent with state and federal law. The Charter Board will establish a calendar of regular meetings as required by Cal. Corp. Code and the Brown Act.

The Corporation shall not enter into a contract or transaction that violates Government Code Section 1090 *et seq.*, the Political Reform Act of 1974, Corporations Code requirements for the operation of nonprofit corporations, or constitutes a conflict of interests in violation of the Corporation's conflict of interest code. The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of this Corporation's directors are directors have a material financial interest).

Composition, Terms and Selection Process

The NLA Board elects its members according to the procedures set forth in its Bylaws. The NLA Board consist of a minimum of five (5) and a maximum of seven (7) voting members as outlined in the Bylaws. Members are selected for their expertise in finance, fundraising, community development, education and real estate. The Charter Board includes at least one parent representative and one community representative. The parent/guardian representative is selected with input from Newman Leadership Academy parents/guardians. Per Education Code 47604(b), the authorizing school district may designate a representative to the NLA Board who shall be a voting member.

The school shall be nonsectarian in its governance and administration.

Board members serve staggered terms to ensure continuity on the Board. Three Officers (3) members will serve an initial 3-year term and the remaining members will serve an initial 2

year terms.

Potential NLA Board members are identified, reviewed and nominated for membership by the Board of Directors then in office. The Board shall, by majority vote, select from a pool of qualified candidates, both parents and community members, who demonstrate they possess the requisite skills needed for the effective oversight of the school. The full Board elects new members by majority vote at the annual meeting, every year or on an as needed basis to fill vacancies. Members are elected for two (2) terms, running from July 1 through June 30, and shall hold office until expiration of their term unless they do not fulfill their obligation as members of the Board. The Board also develops and administers or contracts a program of orientation and training for newly elected members.

Board Responsibilities

The responsibilities of the NLA Board are to:

- Attend all meetings in person
- Approve the schedule of Board meetings
- Approve the general policies of the school
- Employ, discipline, and release school personnel
- Approve and monitor the school's budget
- Receive of funds for the operation of the school in accordance with the Charter and applicable law
- Solicit and receive grants and donations consistent with the mission of the school
- Review the school's personnel policies and receive from the Principal reports relative to their implementation, such policies to be consistent with any applicable laws
- Fulfill all other responsibilities provided for in the California Corporations Code, the Articles of Incorporation, Bylaws, or this charter necessary to ensure the proper operation of the school are being carried out;
- Review monthly operations' reports from the Principal and annual independent audit reports;
- Hire and evaluate the Principal
- Participate in dispute resolution procedures and complaint procedures when necessary
- Approve charter amendments as necessary and submit material revisions as necessary for Authorizer consideration

It is understood that the San Bernardino City Unified School District shall have the right of access to all NLA records to carry out their oversight responsibilities, and that the records of the NLA are subject to the California Public Records Act. Board members receive annual training on the Ralph M. Brown Act during the first three months of each school year.

The NLA Board acts as the fiscal agent of NLA to the fullest extent of the law. The NLA Board will see to it that all provisions of charter school legislation will be followed. The NLA Board monitors the school budget monthly. A state approved external auditor will be contracted to assure standards of fiscal responsibility. The NLA Board contracts a business manager, who will provide back office service.

Human Resources

Principal Responsibilities

The principal is the leader of the school. The principal ensures that the curriculum is implemented in order to maximize student learning. The principal must report directly to the Charter Board, and s/he is responsible for the orderly operation of the school and the supervision of all employees in the school.

The principal is assigned to perform tasks directly from the NLA Board and is required to undertake some or all of the tasks detailed below. These tasks may include, but are not limited, to the following:

- Ensure the charter school enacts its mission
- Execute and conduct ongoing review of an academic plan that focuses on student learning
- Supervise and evaluate teachers and staff
- Communicate and report to the NLA Board
- Oversee school finances with business manager to ensure financial stability
- Serve or appoint a designee to serve on any committees of the School
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal
- Ensure compliance with all applicable state and federal laws
- Communicate with parents/guardians, recruit new families and students, and assure families of academic growth
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the NLA of Directors
- Complete and submit required documents as requested or required by the charter and/or the NLA Board and/or the San Bernardino City Unified School District
- Identify the staffing needs of the school and offer staff development as needed
- Ensure that appropriate evaluation techniques are used for both students and staff
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables
- Identify qualified substitute teachers as needed
- Ensure the security of the school building
- Promote Newman Leadership Academy in the community and uphold positive public relations
- Encourage and support teachers in on-going professional development
- Attend San Bernardino City Unified School District administrative meetings as necessary and stay in direct contact with the San Bernardino City Unified School District regarding changes, progress, etc.
- Develop the NLA annual performance report and SARC (School Accountability Report Card)
- Manage student discipline, as necessary participate in the suspension and expulsion process

- Participate in special education meetings as necessary.

Parent/Guardian Involvement

The school empowers parents/guardians as educational partners. Parents/Guardians should know that their voice and participation at the school influences the development of the total school and its components. Parents/Guardians will have the opportunity to participate in a variety of meaningful ways at the school site and their presence on campus and assisting teachers in the classroom is most important.

In order to ensure significant parent/guardian involvement, the school has a standing School Site Council (SSC) which serves in an advisory capacity to the NLA Board and is open to all parents/guardians and staff. The SSC will advise the NLA Board through the elected parent/guardian member on the NLA Board and will make recommendations regarding the operations of the school, support staff, teachers, and students. It will review and provide input on curriculum, facilities, safety, grants, technology, and community relations. NLA will encourage a higher rate of parent/guardian participation (including parent/guardian conference attendance, parent/guardian meeting attendance, and parent/guardian volunteer presence) than similar schools in San Bernardino County where such data is available.

Parents/Guardians are encouraged to become active in developing their student's learning plan and the school's curriculum, evaluation process, and other programs. Parent/Guardian group meetings will be established on campus. They will be used for parent/guardian education meetings, sharing resources, and parent/guardian organizing efforts for school improvement and community leadership. Outreach efforts include newsletters, Internet and email communications.

Notice is given to the parents/guardians of the following:

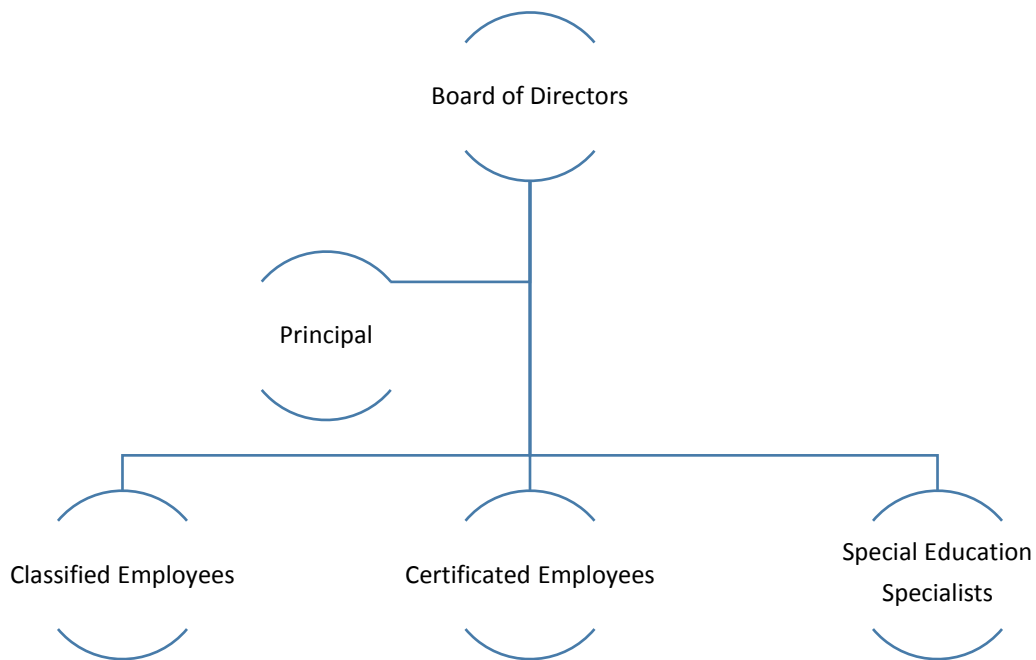
- The times and dates of all parent/guardian meetings and all Board meetings for the year
- Special classroom and school-wide events to be held during the year
- The process for time and labor donations to the school
- The process for "phone tree/email communication" for all classrooms
- Access to a NLA website
- The procedure for verifying parent/guardian participation at all school and school-- related events to enable families to meet their annual hourly participation goals;
- How to access and monitor their student's progress on line
- Procedure for contacting parents/guardians during an emergency and location of their students for pick-up during any emergency

Parents/Guardians are encouraged to take advantage of Labor Code Section 230.8 which bars discharge or discrimination against an employee for taking time off to visit their student's school or for using vacation, personal leave, compensatory time off or time off without pay (up to eight hours in any calendar month, up to 40 hours each school year).

Administrative Structure and School Organization

Newman Leadership Academy is governed by a Board of Directors who represent the greater community in terms of interest, support, diversity, and the overall governance of the school. The school's Principal serves as the business and human resources manager of the Newman Leadership Academy. The Principal serves as the school's academic leader and has the responsibility to develop and implement programs and work with all segments of the community as well as the staff. The Principal also provides the necessary support to the Principal in order to provide administrative continuity throughout the school day. Clerical personnel, instructional aides, technicians, and nutrition and custodial services personnel will provide the base support to the educational program. The chart below demonstrates the organizational structure of the program.

Newman Leadership Academy Organizational Structure



The above positions are essential in maximizing student services and the diverse needs of the students of Newman Leadership Academy.

Contracts - CMO, EMO or BACK OFFICE

NLA shall include the following language in all contracts for the provision of any back office, administrative or consulting services by an educational management organization ("EMO") or

charter management organization (“CMO”) for the charter school in excess of \$10,000.

The CMO, EMO or back office provider retained by NLA and NLA will, upon request of the SBCUSD representatives, SBCUSD staff and/or FCMAT, respond to and provide copies of any and all documents related to the operations of the school in the possession and control of the CMO, EMO or back office services provider. Additionally, the CMO, EMO and/or back office provider will respond to any and all reasonable inquiries in the same manner as the charter school, as provided in Education Code section 47604.3. If the CMO, EMO and/or back office provider fail to provide the requested information to SBCUSD, SBCUSD and/or FCMAT, the charter school will take affirmative steps to terminate the contract between the charter school and its operating organization NLA and the CMO, EMO and/or back office provider.

ELEMENT 5

EMPLOYEE QUALIFICATIONS

Governing Law: “The qualifications to be met by individuals to be employed by the school.” Education Code Section 47605(b) (5) (E).

Employees of NLA are a group of educators and professionals committed to the education of all children. The school’s guiding principles demand that students participate in a rich, meaningful learning process that will encourage them to become life-long learners.

To help accomplish this, NLA employs a staff of professionals committed to upholding the highest academic and behavioral expectations for each child. All staff members are equally committed and actively involved in the planning, development, performance, administration, and evaluation of the instructional program and school operations. The administrators, teachers, and paraprofessionals will be highly qualified as specified in No Child Left Behind and will have degrees and certifications that satisfy state requirements for their positions.

NLA does not discriminate against any NLA employee on the basis of race, religious belief, color, sex, pregnancy, sexual orientation, age, national origin, ancestry, physical or mental disability, medical condition, marital status, or any other protected classification, in accordance with applicable law.

Definitions of calendar, holidays, workday, work year, sick days, personal days, and due process procedures for disputes are to be found in the Newman Leadership Academy Employee Handbook.

NLA complies with the provisions of No Child Left Behind as they apply to certificated and paraprofessional employees of charter schools.

All full time employees of NLA are eligible for health benefits.

Staff Member Selection

Selection of all Newman Leadership Academy personnel is in compliance with AB544.

All requirements for employment set forth in applicable provisions of law are met.

The administration of NLA monitors ongoing credentialing requirements. Employees' job duties and terms and conditions of employment are negotiated in individual contracts. General job descriptions have been developed for the administration, teachers, and support staff.

NLA adheres to California laws, including fingerprinting, drug testing, TB screening and prohibitions regarding the employment of any person who has been convicted of a violent or serious felony. All employees must furnish or be able to provide:

1. Medical clearance to verify employee is free from tuberculosis (T.B.) and other communicable diseases (except as prohibited by applicable law).
2. Full disclosure statement regarding prior criminal record.
3. Sign-off of child-abuse policy.
4. Fingerprinting for a criminal record check.

Employees are not allowed to begin work until all the above is cleared.

Selection of staff is made under specific guidelines and criteria. We recruit and hire staff who possess the qualifications to work successfully with the target student population, deliver the educational program effectively, and support and sustain the school's culture. To ensure the selection of the highest quality staff, we implement the following selection process:

- Establish job qualifications in collaboration with school announced opening(s)
- Posting of job openings (career and education websites, newspapers, Schools of Education, referrals, and email)
- Require an appropriate certificate or credential
- Request résumé, references, records of experiences, credentials, licenses, etc.
- Verify previous employment and credentials
- Interview candidates
- Select strongest candidates

Teacher Credential Assurance

NLA agrees to comply with the provisions of No Child Left Behind as they apply to certificated and paraprofessional employees of charter schools. The school conforms to the legal requirement that all NLA teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. NLA seeks to maintain a potential list of credentialed teachers from which to draw in the case of a teacher vacancy during the school year.

Monitoring Credentials

The Principal of NLA monitors the status of all CA teaching credentials for NLA classroom

teachers. These documents are maintained on file at NLA and are subject to periodic inspection by San Bernardino City Unified School District. All NLA teachers hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to what a teacher in other public schools would be required to hold.

Essential Qualifications

- " State certification or meet the minimum requirements for licensure as defined by the State Board of Education
- " Compliance with requirements for background checks conducted in a manner consistent with the laws prior to hiring

Administrator Qualifications

The administrators of NLA have the commitment and ability to execute the comprehensive educational vision and mission of the school. They manage and make decisions based upon student academic achievement as the determining factor. School administrators are skilled in hiring and managing teachers to meet ambitious performance standards and are capable of aggressively developing teachers to improve their practice. They are familiar with charter schools and the target population and have supervisory experience.

Job Descriptions for Principal

The Principal is the overall school leader in each of our communities, developing and implementing programs, working with students, families, and the community, and mentoring and evaluating teachers and the support staff. The Principal in their capacity of both operational and academic leader of the school, has the primary responsibility for managing both the school's operations, day-to-day activities, curriculum, academic performance, student discipline, employee discipline, as well overseeing the management of the school's finances and corporate records and reporting to the Board regarding the same.

Selection of the Principal

Selection of the Principal is based on proven experience in business and financial management, ideally within a school setting, experience in educational leadership, experience with elementary students of different socio---economics and ethnic backgrounds and different learning needs, demonstrated ability in program design and/or development, entrepreneurial, and interest and commitment to educational reform.

Responsibilities will include, but will not be limited to:

Responsibilities

Responsibilities will include, but will not be limited to:

- Commitment to excellence, equity, and access for all students

- Facilitating communication among all school stakeholders
- Hiring and dismissal of employees in coordination with the Principal
- Overseeing the business operations of the school on a day---to---day basis
- Reporting to the Board of Education on the progress of NLA in achieving financial stability and all aspects of business operations
- Assisting with preparing grants, facilitating fundraising efforts, and/or obtaining loans.
- Maintaining a balanced budget and drafting an annual budget proposal for NLA Board review and approval
- Overseeing attendance reporting
- Coordinating relationship with authorizing District and key stakeholders
- Engaging in strategic planning
- Hiring teachers, administrators, and support staff
- Leading, guide and direct all staff
- Building a cohesive educational team
- Evaluating certificated and classified staff
- Building relationships with families and local institutions
- Preparing credentialing reports/documents and monitoring processing.
- Organizing professional development
- Assisting with student discipline
- Overseeing the development and implementation of all programs

General administration, management and leadership of school site to include:

- Oversee daily operation of school
- Address discipline/behavior issues
- Oversee student support programs
- Respond to daily crises
- Facilitate scheduling
- Manage attendance in coordination with Principal
- Engage in strategic planning

Instructional Leadership

- Guide professional development
- Use of data to improve teaching and learning
- Coach teachers
- Support the implementation of curriculum
- Facilitate and support course---specific and standardized assessment

Human Resources

- Hire teachers, administrators, and support staff in coordination with Principal
- Lead, guide and direct all staff in coordination with Principal
- Build a team in coordination with Principal
- Evaluate staff in coordination with Principal

Community Relations

- Build relationships with families and local institutions
- Build relationships with SBCUSD

Employee Evaluations

The principal has the right to observe and evaluate staff using a performance appraisal framework and system. The purpose of the performance appraisal system is to promote greater accountability by leading to changes in professional practice that result in the continuous improvement of student achievement. The assessment includes, but is not limited, to:

- An analysis of student achievement based on student performance on standardized and other specific assessments
- Observations by the principal in professional settings
- Accomplishment and growth consistent with core professional expectations as documented by the teacher in a professional performance improvement program
- A self-assessment based on adherence to the vision and mission of the school
- Community presence and involvement including frequency of parent/guardian contact
- An analysis of parent/guardian and student surveys to be collected in the spring of the year

Evaluation of the Principal

The Principal will be evaluated annually by the Board of Newman Leadership Academy.

Essential Qualifications:

- Two years of educational administrative experience, preferably as a principal or vice/assistant principal of an urban elementary school
- Three or more years of experience teaching in an urban district
- A commitment to the school's core values, mission, and vision
- Relentless drive to attain results
- Experienced business leader with a focus on managing fiscal and human resources effectively
- Experience with diverse youth in an urban area
- Experience with state required curriculum and academic standards
- Comfortable with a small school environment which requires flexibility and capacity for rapid change
- Experienced instructional leader with curriculum pedagogy
- Experienced leader for classroom management and student discipline matters
- Ability to work with others on a team
- Demonstration of a strong work ethic, flexibility, and resiliency
- Comfortable with a start---up environment: fast growth, flexible roles
- Demonstration of strong verbal, written communication, and organizational skills
- Ability to analyze data and use data to inform school---wide decisions

- Organized administrator
- Commitment to diversity and multicultural staff

Principal Accountabilities

Student Achievement

- State tests
- Internal assessments
- Grade data
- Dropout rate
- Suspension/Mandatory transfer rate
- (Graduation rate-for future)

Constituency Satisfaction

- Enrollment and waitlist
- Attendance rate
- Teacher retention
- Feedback from all constituencies
-

Title: Administrative Assistant

The primary role of the NLA Administrative Assistant is to support the Principal, by performing complex, specialized clerical activities to manage the school office. The Administrative Assistant prepares and maintains data, files and records; reviews and verifies the accuracy and completeness of various student documents and data; maintains students and attendance information systems; prepares the financial invoicing for the school; sets up new employee packets and exiting employee documentation; distributes mail; answers phones and responds to inquiries. The Administrative Assistant is a full-time, salaried, non-exempt position reporting to the Principal.

Representative Duties

- Manages all aspects of attendance and student records (sets up and maintains student database and attendance records)
- Demonstrates good understanding of confidentiality when word processing confidential documents and maintaining files (such as school personnel, evaluations, and other confidential correspondence)
- Maintains a calendar for the Principal and school
- Handles schedules and juggles multiple priorities and tasks
- Organizes the Principal's mail and responds to all mail which can be handled in a clerical level
- Prepares and processes Principal correspondence, including handling dictation, typing, filing and other communications and record keeping processes
- Coordinates and/or handles distribution of correspondence
- Proofreads reports and documents for accuracy, completeness and conformance to established procedures and audit requirements, including Official Transcripts and

attendance documents

- Duplicates and distributes a variety of records, reports and other materials as directed
- Takes incoming calls and makes necessary outgoing calls, receives visitors and parents, answers questions or direct to appropriate resource
- Facilitates communication among staff, students district personnel and other as required
- Maintains inventory of office and school supplies: Requisitions, receives and distributed materials and supplies according to established procedures.
- Manages substitute teacher process
- Demonstrates knowledge of and support for the school mission, vision, standards, policies and procedures, confidentiality standards and the code of ethical behavior.
- Perform related duties as assigned

Essential Qualifications

- Experience in fast-paced administrative support position, experience in a school front office preferable
- Proficiency with Microsoft Office
- Efficient office management capacity
- Gracious receptionist and telephone techniques and etiquette
- Effectively communicates in both oral and written language using correct English (grammar, spelling, punctuation and vocabulary); ability to speak, read and write fluently in Spanish will be consideration for additional compensation
- Professional attitude and appearance to meet school standards
- Ability to perform complex, specialized clerical work involving independent judgment and requiring speed and accuracy
- Establish and maintain cooperative and effective working relationships with others
- Make mathematical computations quickly and accurately
- Meet schedules and time lines
- Interpersonal skills using tact, patience and courtesy
- Ability to work effectively with constant interruptions
- Physical ability to operate a computer and office equipment
- Physical ability to lift light objects, kneel, bend and reach overhead
- May be required to administer first aid to students

Title: Teachers

Teachers provide instruction to students and maintain supervision of the students during class time and other times when students are in school and at school activities.

Teachers are selected on an application and interview basis. Selection of teachers is ultimately made by the school Principal based on recommendation from an interview committee that will consist of parents/guardians, teachers and school administration. The selection will be based also on their teaching experience, the degree of subject matter expertise, and their ability to demonstrate classroom instructional capabilities. A wide net will be cast in seeking teacher applicants, including posting open job positions on online

job databases, to seek qualified teachers and to minimize the use of emergency credentialed teachers. Responsibilities for the teachers include, but are not limited to:

- Developing lesson plans within the framework of the grade level team
- Turning in lesson plans a week prior to instruction.
- Preparing and implementing lesson plans that lead to student understanding of the established curriculum content
- Assessing student progress and maintaining accurate records
- Identifying academically low-achieving students and initiating an intervention program to ensure that students succeed.
- Participating regularly in professional development opportunities
- Maintaining frequent communication with students, students' families, colleagues, and other school stakeholders
- Maintaining regular, punctual attendance
- Providing a teaching and learning environment that is demonstrative of the subject matter taught, cultures of the students and the value of education

Essential Qualifications

- Bachelors Degree and California Teaching Credential
- Experience implementing academic standards and curricula to students in an educational setting
- Capacity to teach in a school, which mobilizes the effort of students to achieve the mission of all students achieving at high levels
- Knowledge of effective classroom management practices motivating students to adhere to high standards of conduct.
- Capacity to analyze data on student learning to identify needs for improvement in instruction for the population
- Capacity to work effectively with all students, including English learner students and special needs students
- Demonstrated instructional expertise and subject matter competence
- Skill in oral and written communications
- Capacity to work as an effective team member
- Demonstrated ability to perform all of the duties of the position

Title: Special Education Teacher/Coordinator

The Special Education Teacher/Coordinator has responsibility of ensuring that needs of students with disabilities are met including provision of services for identified students consistent with IEP's. The Special Education Teacher/Coordinator is responsible for individual case management of all students with disabilities and for arranging the provision of services required by the IEP's and 504 Plans. The Special Education Teacher/Coordinator will monitor the delivery of needed services as stated in students' IEP's, as well as ensuring that all relevant aspects of the Individuals with Disabilities Education Act and Part 300 of the Federal regulations are followed including new provisions, as appropriate.

Representative Duties

- Use appropriate assessments to screen students in need of special education services and support
- Plan and monitor implementation of Individualized Education Plan (IEP's) for students identified with special learning needs

- Provide individualized and small group instruction according to student IEP's
- Provide individualized and small group counseling on education and personal challenges that relate to the student's growth and development
- Conference frequently with parents and staff members on each student's progress
- Analyze data from assessments of student work in collaboration with their teams to determine which teaching strategies need to be expanded and which need to be replaced by more effective ones
- Other duties as assigned

Essential Qualifications

- Bachelors Degree and California Teaching Credential; certification as special education teacher
- Experience implementing academic standards and curricula to special education students in an educational setting
- Capacity to teach in a school, which mobilizes the effort of students to achieve the mission of all students achieving at high levels
- Knowledge of effective classroom management practices to motivate special education students to adhere to high standards of conduct
- Capacity to analyze data on student learning to identify needs for improvement in instruction for the special education population
- Demonstrated instructional expertise and subject matter competence.
- Skill in oral and written communications
- Capacity to work as an effective team member by interpreting the abilities and disabilities of special education students to the entire staff
- Demonstrated ability to perform all the required duties of the job

Selection of Teacher Assistants and Other Support Staff

Title: Paraprofessional/Teaching Assistant

Under the direction of the classroom teacher, this person assists in improving the academic achievement of all students and helps students to develop skills that are necessary to have successful school experience. Recruitment and testing are conducted by the administration of the school to form a pool of qualified candidates. Interviews and selections are performed with input from the teacher of the class that has the opening. Compliance with NCLB, medical clearance and fingerprinting are required.

Representative Duties

- Assist in the implementing and monitoring of learning experiences of each student and class
- Work collaboratively with students, staff, parents, and community partners
- Support the emotional and social growth of students by assisting them in developing caring interaction skills
- Learn and apply a variety of assessment mechanisms
- Work with a flexible schedule
- Assist in infusing technology into instruction and assessment and participate in training needed to acquire the skills to carry out these functions
- Other duties as assigned

Essential Qualifications:

- Associate or Bachelor Degree, and must meet the minimum requirements

- for licensure as defined by the State Board of Education
- Written and oral communications skills, ability to work closely with students (both individually and in small groups)
- Some proficiency with computer technology
- Demonstrated ability to perform all the duties of the position

NLA recruits qualified Spanish---language proficient paraprofessionals and educators to assist the English Language Learner and his/her parent/guardian.

Selection of Office Personnel

We recruit and hire staff who demonstrate the qualifications to work successfully with the target student population, deliver the education program effectively, and support and sustain the school's culture.

Selection of Day---to---Day Substitutes

NLA maintains a list of qualified substitutes who are contacted as needed. They are paid at a competitive daily rate.

Personnel Policies

NLA has developed personnel policies, which are periodically reviewed by NLA's Board and its legal counsel for compliance with applicable laws.

Salary

Teachers and other employees are placed on the NLA salary schedule according to the responsibilities they assume, education and past employment experience.

Revenues and expenditures are reviewed annually, and a recommendation is made through NLA after counsel with staff for cost of living adjustments and incentive pay to remain competitive with similar positions within the County. Teachers may move up within each teacher level based on performance. Career paths are developed for teachers.

ELEMENT 6

HEALTH AND SAFETY PROCEDURES

Governing Law: "The procedures that the school will follow to ensure the health and safety of students 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 Section 47605 (b) (5) (F)

In order to provide safety for all students and staff, NLA adopts and implements full health, safety, and risk management policies and procedures at its school site in consultation with its insurance carriers and risk management experts. A complete copy of NLA's current health and safety procedures was provided to the District prior to the District Board's final approval of the renewal of this charter. School Wide Safety Plan is attached as Appendix J.

The following is a summary of the health and safety policies of the Charter School:

Procedures for Background Checks

Employees and contractors of the Charter School are required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Principal of the Charter School monitors compliance with this policy and report to the Charter School Board of Directors on a quarterly basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

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

TB Testing

Faculty and staff are tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

Immunizations

All students enrolled and staff are required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325---120375, and Title 17, California Code of Regulations Sections 6000---6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School

The Charter School adheres to Education Code Section 49423 regarding administration of medication in school.

Vision, Hearing, and Scoliosis

Students are screened for vision, hearing and scoliosis. The Charter School adheres to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

Diabetes

The Charter School provides an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet includes, but is not limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Complaint Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, gender, gender identity, gender expression, or disability. The Charter School has developed and shall disseminate at least annually to pupils, parents, and employees a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, student to student, and student to employee misconduct), as well as comprehensive policies to address any type of discrimination, harassment, or bullying and complaints of unlawful pupil fees. These policies include a Uniform Complaint Procedure in accordance with California Code of Regulations, Title 5, Section 4600 *et seq.*, as well as any additional complaint procedures necessary to address stakeholder complaints and concerns. The Charter School takes misconduct of this nature very seriously and will address such misconduct in accordance with its adopted policies and procedures.

Emergency Preparedness

The Charter School adheres to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This handbook includes, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a School site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for the Charter School.

Blood Borne Pathogens

The Charter School meets state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board 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.

Drug Free/Alcohol Free/Smoke Free Environment

The Charter School functions as a drug, alcohol and tobacco free workplace.

Facility Safety

The Charter School complies with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School conducts fire drills as required under Education Code Section 32001.

Comprehensive Sexual Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School’s sexual harassment policy.

Facility

All State and local building code provisions, including federal ADA access requirements are followed for site and building improvements in accordance with Education Code Section 47610. The building previously served the needs of a public charter school and currently meets all local and state building codes. Copies of all permits for occupancy of public school students can be provided.

The Newman Leadership Academy currently leases a facility that is designed for optimum

learning and safety. The facility is located at 1314 E. Date Street in the Del Rosa Community of East San Bernardino. The facility is a two-story permanent building that was built in 2007. With approximately 12,000 square feet, the building has 10 classrooms, a computer lab, a multipurpose room, three offices, a reception area, and an enclosed playground and quad

areas. Additionally, a cafeteria is accessible to the students and staff in a separate building located on the campus. Additional space is available to support growth in student enrollment.

Health Services and Prescription Medications

Parents/Guardians complete the appropriate form authorizing school staff to administer medication. Staff keeps detailed records and logs of all medication schedules and dispenses medications at the appropriate times. All medications are stored in secure storage cabinets or secure refrigerators.

Fire Drills

Fire Drills are conducted at least twice during each semester. Office personnel maintain records of fire drills held and the total required time for complete evacuation. When an alarm sounds, teachers lead students in their rooms out of the building in compliance with the evacuation route/map that is posted in each classroom. Once outside the building, teachers take roll to ensure accountability for all students. Students remain with their teachers at the designated evacuation site until the administrative staff gives the “all clear” signal.

Disaster Drills

Disaster Drills are conducted once every two months. Students are made familiar with the “duck and cover” routine. In case of a real earthquake, everyone must engage in the duck and cover routine immediately and remain in position until the teacher determines that it is safe to leave the building. If remaining in the room becomes too dangerous, or when the shaking stops, teachers proceed with their students to the evacuation site or other safety zone. Teachers take roll and report any missing students to the administration. Teachers stay with their classes for the duration of the emergency. In the event of an earthquake or natural disaster, teachers are designated “Civil Defense Workers” and are not allowed to leave the school until they receive official clearance from administrative staff.

Student Supervision

Students are supervised at all times by teachers, support staff, administration, paraprofessionals, or other qualified adults per code and State law.

Evacuation Plan

In the event an evacuation is warranted, teachers proceed with their students as outlined on the evacuation plan posted in each classroom. Before leaving the room, teachers make sure they have their class attendance roster with them. Students who are not in a classroom will be instructed to attach themselves to the nearest teacher exiting the school for the purpose of

getting to a designated evacuation site. Once at the evacuation site, teachers and other staff make sure that students find their proper class and teachers. Teachers then take roll to ensure the accountability of all students. The names of any students unaccounted for will be immediately provided to administrative personnel and a staff member will be assigned the task of finding any missing students. Teachers stay with their class for the duration of the emergency. All students stay with their teachers at the designated evacuation site until administrative staff gives the “all clear” signal. In the event students cannot return to the school, the administrative staff will notify parents/guardians and/or the media where students can be picked-up. A designated staff member will sign-out students as they are being picked up by a parent/guardian or other authorized adult listed on the students’ emergency information card. Parents/Guardians will be asked to remain in a designated pick-up area, and the students will be escorted to their parents/guardians for release.

Insurance Requirements

Newman Leadership Academy (“NLA”) shall purchase and maintain in full force and effect at all times during the term of this Charter insurance in amounts and types and subject to the terms approved by the San Bernardino City Unified School District’s (“District”) risk manager and as specified below. NLA’s obligations to acquire and maintain insurance as provided in this section of the Charter shall survive the revocation, expiration, termination, or cancellation of this Charter or any other act or event that would end NLA’s right to operate as a charter school pursuant to this Charter or cause NLA to cease operations until NLA has fully complied with the Closure Protocol set forth in this Charter.

Without limiting this Charter and/or the defense, indemnity, and hold-harmless obligations of NLA, throughout the life of the Charter, NLA shall obtain, pay for, and maintain in full force and effect insurance policies issued by an insurer or insurers admitted by the California Insurance Commissioner to do business in the State of California and rated not less than “A or A-VII” by A.M. Best Insurance Rating Guide, or, in the case of self-insurance, with a California Joint Powers Authority, a memorandum or memoranda of coverage providing coverage as follows:

COMMERCIAL GENERAL LIABILITY insurance and/or coverage, which shall include coverage for: “bodily injury,” “property damage,” “advertising injury,” and “personal injury,” including, but not limited to, coverage for products and completed operations, sexual abuse/molestation, and sexual harassment with combined single limits of not less than \$5,000,000 per occurrence and \$20,000,000 in the aggregate.

COMMERCIAL AUTO LIABILITY insurance and/or coverage, which shall include coverage for owned, non-owned, and hired autos, with bodily injury and property damage liability limits not less than \$1,000,000 per person and per occurrence.

WORKER’S COMPENSATION insurance and/or coverage, as required by applicable law, with not less than statutory limits.

PROPERTY insurance and/or coverage, which shall include: (a) coverage for real property

on an “all risk” basis with full replacement cost coverage and code upgrade coverage, (b) Fire Legal Liability, to protect against liability for portions of premises leased or rented, and (c) Business Personal Property, to protect on a Broad Form, named peril basis, for all furniture, equipment and supplies of NLA_. If any District property is leased, rented or borrowed, it shall also be insured by NLA in the same manner as (a), (b), and (c) above.

PROFESSIONAL LIABILITY insurance and/or coverage, in an amount not less than \$3,000,000 per “claim” with an aggregate policy limit of \$3,000,000.

All of the insurance and/or coverage required by the foregoing provisions of this Charter shall: (a) be endorsed to name the San Bernardino City Office of Education and its Board of Trustees, Board members, officers, Board appointed groups, committees, boards, and any other Board appointed body, and administrators, employees and attorneys, agents, representatives, volunteers, successors, and assigns (collectively hereinafter the “San Bernardino City Unified School District and the San Bernardino City Unified School District Personnel”) as additional insureds; (b) shall insure San Bernardino City Unified School District and San Bernardino City Unified School District Personnel to the same extent as NLA; (c) shall be primary insurance, and any insurance and/or self-insurance or coverage maintained by the San Bernardino City Unified School District and/or by the San Bernardino City Unified School District Personnel shall be in excess of NLA’s insurance and/or coverage required by the foregoing provisions of this Charter and shall not contribute with the primary insurance and/or coverage to be provided by NLA; (d) shall be on an “occurrence” basis rather than a “claims made” basis, excepting only educators’ legal liability and errors and omissions insurance and/or coverage, which shall be on a “claims made” basis; and (e) shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of liability set forth in the applicable policy or memorandum of coverage.

Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that coverage shall not be suspended, rescinded, voided, cancelled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, without thirty (30) days prior written notice thereof given by the insurer to the San Bernardino City Unified School District by US Mail, certified, or by personal delivery. In addition to such notice provided to the San Bernardino City Unified School District by the insurer, NLA shall also provide the San Bernardino City Unified School District with thirty (30) days prior written notice, by certified mail, return receipt requested, of the suspension, recession, voiding, cancellation, reduction in coverage or limits, non-renewal, or material change for any reason, of any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter. If at any time any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter is suspended, rescinded, voided, canceled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, NLA shall cease operations until such policy of insurance and/or memorandum of coverage is restored, and if the required insurance and/or coverage is not restored within two (2) business days, the Charter shall be subject to revocation pursuant Education Code Section 47607 and/or shall become void at the San Bernardino City Unified School District option.

The acceptance by the San Bernardino City Unified School District of the insurance and/or coverage required by the foregoing provisions of this Charter shall in no way limit the liability or responsibility of NLA or of any insurer or joint powers authority to the San Bernardino City Unified School District.

Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that all rights of subrogation against the San Bernardino City Unified School District and/or the San Bernardino City Unified School District Personnel are waived.

NLA shall provide to the San Bernardino City Unified School District duplicate originals of each policy of insurance and/or each memorandum of coverage required by the foregoing provisions of this Charter, including all declarations, forms, and endorsements, which shall be received and approved by the San Bernardino City Unified School District within thirty (30) days of the approval of this Charter and by July 1 of each year thereafter. The duplicate originals and original endorsements required by this provision shall be signed by a person authorized by the insurer and/or joint powers authority to bind coverage on its behalf. The procuring of such insurance and/or coverage or the delivery of duplicate originals and endorsements evidencing the same shall in no way be construed as a limitation of the obligation(s) of NLA to defend, indemnify, and hold harmless the San Bernardino City Unified School District and the San Bernardino City Unified School District Personnel.

The limits of liability applicable to the policies of insurance and/or memoranda of coverage required by the foregoing provisions of this Charter shall not reduce or limit the obligation(s) of NLA to defend, indemnify, and hold harmless the San Bernardino City Unified School District and the San Bernardino City Unified School District Personnel.

The limits of liability applicable to the policies of liability insurance and/or memoranda of coverage in place of liability insurance required by the foregoing provisions of this Charter shall not be reduced by or apply to defense costs or attorney s fees incurred to defend against covered claims.

Any deductible(s) or self-insured retention(s) applicable to the insurance and/or coverages required by the foregoing provisions of this Charter must be declared to and approved by the San Bernardino City Unified School District.

NLA shall promptly respond to all inquiries from the San Bernardino City Unified School District regarding any claims against NLA and/or any obligation of NLA under the foregoing provisions of this Charter.

Hold Harmless/Defense/Indemnification Provision

To the fullest extent permitted by law, NLA agrees to promptly, fully and completely indemnify, defend through counsel reasonably acceptable to San Bernardino City Unified School District and hold harmless the San Bernardino City Unified School District, the San Bernardino City Unified School District's Board of Trustees, and each of their members, officers, administrators, employees, agents, representatives, volunteers, successors and

assigns (“Indemnitees”) from and against any and all claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities of whatever nature or kind, including, but not limited to, attorney’s fees and litigation costs, that in any way arise out of or relate to any actual or alleged act or omission on the part of NLA, and/or on the part of the board of directors, administrators, employees, agents, representatives, volunteers, subcontractors, invitees, successors, and/or assigns of NLA in any way related to the performance of and/or to the failure to perform in whole or in part any obligation under the Charter and/or in any way related to the operation or operations of NLA or of any other facility, program, or activity. The obligations of NLA to defend the San Bernardino City Unified School District and the other Indemnitees identified herein is not contingent upon there being an acknowledgement of or a determination of the merit of any claim, demand, action, cause of action, or suit, and those obligations will be deemed to be triggered immediately upon the assertion of any claim, demands, actions, cause of action, or suit within the scope of this paragraph. However, nothing in this paragraph shall be construed to obligate NLA to indemnify Indemnitees for any claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities resulting from an Indemnitee’s sole negligence, from an Indemnitee’s active negligence, or from an Indemnitee’s willful misconduct where such sole negligence, active negligence, or willful misconduct has been adjudged by the final and binding findings of a court of competent jurisdiction; except, in instances where the active negligence or willful misconduct of an Indemnitee accounts for only part of the loss(es) involved, the indemnity obligations of NLA shall be for that portion of the loss(es) not due to the active negligence or the willful misconduct of such Indemnitees.

NLA further specifies that its indemnification, defense, and hold harmless obligations pursuant to this Charter extend to indemnify, defend, and hold the District and District Personnel harmless from any and all financial obligations in the event of an unbalanced budget.

NLA’s obligation to indemnify, defend, and hold harmless the District and District Personnel, as set forth in this section of the Charter, shall survive the revocation, expiration, termination, or cancellation of this Charter or any other act or event that would end NLA’s right to operate as a charter school pursuant to this Charter or cause NLA to cease operations.

Asbestos Management

NLA occupies a facility that complies with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR 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.

Inspections

NLA agrees to permit the District to inspect and receive copies of all records relating to the operation of NLA shall promptly comply with all reasonable inquiries from the District in accordance with Education Code section 47604.3. NLA shall permit the District to inspect and receive copies of all records relating to the operation of NLA to the extent allowable under federal and state law. NLA is subject to the California Public Records Act (CPRA), however, the

District's right to inspect and receive records is not based on the CPRA, but rather on the District's oversight role.

ELEMENT 7

REFLECTIVE RACIAL AND ETHNIC BALANCE

Governing Law: "The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted." Education Code Section 47605(b)(5)(G).

NLA makes every effort to recruit students of various racial and ethnic groups so as to achieve a balance that is reflective of the general population residing within the boundaries of the San Bernardino City Unified School District. NLA maintains an accurate accounting of the ethnic and racial balance of students enrolled in the school and extend outreach efforts to ensure that the racial balance reflective of the community in which it is located.

NLA has devised a comprehensive outreach plan to increase the representation of ethnic diversity in our school.

Elements of this outreach plan include:

- The NLA registration packet is available in Spanish.
- The NLA website offers a Spanish translation.
- Informational brochures are available in Spanish.
- NLA will post advertisements in libraries, Boys & Girls Clubs, and churches in predominately ethnically diverse neighborhoods.
- NLA will recruit staff members who are fluent in Spanish.

Brochures advertising basic school information and enrollment procedures are available on an ongoing basis. Press releases are distributed throughout the year to local and regional publications. Orientation meetings and school tours are conducted regularly, along with community presentations to assure racial and ethnic balance. We are confident these approaches, combined with NLA's improved media profile in the community, will result in a student body that is racially and ethnically balanced.

NLA accepts school application during the open enrollment periods each year. The open enrollment shall last 90 days, which should allow sufficient time to receive applications that will satisfy the goal to achieve a racial and ethnic balance closely resembling the racial and ethnic balance of the district or community where the school is located.

Public School Choice Traveling Students

The San Bernardino City Unified School District and NLA is committed to providing all students with quality educational alternatives in compliance with all federal and state

laws, including students who are enrolled in schools of the District identified by the California Department of Education as in need of Program Improvement (PI). Public School Choice (PSC) placement with charter schools is an alternative strongly encouraged by the No Child Left

Behind Act of 2001. NLA agrees to discuss with the District the possibility of accepting for enrollment District students participating in the District's PSC program. The parties will agree to memoranda separately any agreed-to number of PSC placements of District students at NLA.

As required under NCLB, all PSC students attending NLA shall have the right to continue attending NLA until they have completed the highest grade offered at the school. However, the obligation of the San Bernardino City Unified School District to provide transportation for a PSC student to NLA shall end in the event the PSC student's resident District school exits Program Improvement.

NLA ensures that all of its PSC students are treated in the same manner as other students attending the school. PSC students are and will be eligible for all applicable instructional and extra-curricular activities at the school. NLA makes reasonable efforts to invite and encourage the participation of the parents/guardians of PSC students in the activities and meetings at the school.

Determination of student eligibility for this PSC option, including the grade level of eligibility, is made solely by the District, based on the District's PSC process, guidelines, policies and the requirements of NCLB. In the event demand for places at NLA under the PSC program increases in subsequent years, NLA agrees to discuss with the District the possibility of increasing the number of PSC placements available at the school.

ELEMENT 8

APPLICABLE ADMISSIONS REQUIREMENTS

Governing Law: Admission requirements, if applicable. – Education Code Section 47605(b)(5)(H)

Newman Leadership Academy is a public school of choice committed to equal opportunity and achievement. Admissions are not determined according to the place of residence of the student or of his/her parent/guardian within the State. A written application is required for all students. Students may apply for admission at any time during the year, until the school has reached its capacity. Open enrollment is held each year in March for the upcoming school year.

NLA complies with all laws establishing minimum and maximum age for public school attendance. Proof of the child's age must be presented at the time of enrollment as described in the California Education Code.

Admission to NLA is open to all California residents legally able to attend a California public school for the identified grade levels being served by this school, on a non-discriminatory basis without regard to any of the characteristics listed in Section

220 of the Education Code, proficiency in English language or academic, attendance, except for existing students (assuming intent to re-enroll is communicated to NLA as required by school policy) shall be determined by public random drawing.

Public Random Drawing

If the number of students who wish to attend NLA exceeds the school's capacity, attendance, except for existing students of NLA, shall be determined by a public random drawing ("lottery"). The drawing will be widely publicized and will occur 7--10 days following the enrollment deadline in a public space large enough to accommodate all interested families. The date, time and location of the drawing will be provided with the enrollment application. In the event of a public random drawing, the following admissions preferences will be extended:

1. Siblings of existing students
2. Residents of the San Bernardino Unified School District
3. Children of NLA Board members¹
4. Children of NLA employees²
5. All other applicants

The drawing will be officiated by an uninterested party. An identifying number for each prospective student will be put on a card. The cards shall be of equal size and shape. The cards will also indicate if the applying student has any siblings applying for admission the same year. The name of each card will be read as it is placed into a container or drawing device that will randomly mix the cards. The person officiating the drawing will draw the cards one at a time and read the number on the card. As each card is pulled it will be posted visibly on a display in the order it was drawn. Students will be given a numerical ranking based on the order they were drawn. The drawing will continue until all cards have been drawn and all names have been assigned a numerical ranking. These rankings will be recorded in an electronic database that will be verified by the drawing official.

Drawings will be conducted for each grade in which capacity is exceeded. During the course of the drawing, if a card is drawn that indicates a sibling (of any grade) is also applying, the sibling will also be assigned the next available numerical ranking for the appropriate grade level. If there is not a vacancy in the appropriate grade for the sibling, he/she will go to the top of the waiting list for that grade, after any other siblings of current students who are already on the list.

While the drawing will be open to the public and families will be encouraged to attend, families are not required to be present at the time of the drawing to be eligible for admission. Results will be made available to the public. Enrollment in the school will be offered to students according to their numerical ranking until capacity is reached. All remaining names will be placed on a waiting list in order according to their numerical rank.

¹ This preference category shall be limited to no more than 10% of total enrollment.

² This preference category shall be limited to no more than 10% of total enrollment.

Families of students who are offered admission will have 10 days to confirm in writing their intent to enroll and submit an enrollment packet including proof of age, proof of address (if applicable), and immunization records. Any families who decline admission or fail to confirm admission by the deadline will lose their position to the next name on the waiting list. It is the responsibility of the family to ensure up-to-date contact information is on file with the school and no exceptions to the 10-day deadline will be made for families that fail to respond within the 10-day period.

Each lottery will be documented in the school's lottery files and signed by a school administrator, clerk, and witnesses. A copy of each notification letter sent shall be kept in a file. Each potential applicant and parent/guardian will be provided opportunity to sign an agreement showing their support for and commitment to the expectations of students and parents/guardians. These expectations will be provided to each parent/guardian and applicant.

The school may refine the drawing policies and procedures in accordance with written policy adopted by the governing authority of the school. A copy of the revised policy, designed to improve the school's admissions efforts, will be provided to the district upon approval by the charter school's Board.

Student Recruitment

NLA distributes information flyers at nearby libraries, park and recreation facilities, churches, pre-schools, and head-start programs and athletics leagues. Additional advertisement about the school may include radio and newspaper ads on both English and Spanish language stations and in English and Spanish language papers. NLA holds an annual community-wide information meeting.

NLA is committed to serving academically low-achieving and economically disadvantaged students. We aggressively recruit students from our proposed school community, including academically low-achieving and economically disadvantaged students.

Transportation

Transportation is not provided for any students with the exception of Special Education students who may have transportation rights required by law and their IEP.

ELEMENT 9

FINANCIAL AUDITS

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 Section 47605(b) (5) (I)*

Fiscal

NLA is a fiscally independent, direct funded charter school. A system of internal

controls are instituted and maintained by NLA with direct oversight and approval of the Charter Board. An independent audit by an accountant certified by the State of California with knowledge of school budget and accounting procedures is performed annually. The auditor is on the State Controller's list of educational auditors. The audit is conducted according to requirements set forth in the Charter Schools Act, Education Code Sections 41020 and 47605(m), and the Standards and Procedures for Audits of California K-12 Local Educational Agencies as published in the California Code of Regulations. The auditor is hired by NLA. This audit is conducted according to generally accepted accounting practices (GAAP) to verify the accuracy of the school's financial statements, attendance, and enrollment accounting principles and review the school's internal controls. Audit exceptions and deficiencies are resolved in conference with San Bernardino City Unified School District's satisfaction within sixty (60) days following the final audit being issued, unless a longer period is necessary, given the nature of the finding(s). The designated fiscal officer for the first year was the principal. NLA provides San Bernardino City Unified School District, the Controller, the County Superintendent of Schools and the California Department of Education the final audit by December 15th of each year. NLA utilizes attendance accounting procedures that satisfy requirements for San Bernardino City Unified School District and the CDE. This includes reporting enrollment and attendance figures to San Bernardino City Unified School District on a monthly basis.

In addition to the revenue sources specified in the Charter School block grant, other revenue sources can include, but are not limited to, the following sources and programs: the California State Lottery; Supplemental Hourly Instruction Program revenues; categorical block grants; charter school funding from the California Department of Education; the federal government, or other sources; and any other available or mutually agreeable sources and funding for programs.

Accountability and Annual Fiscal Audit

The State Board of Education and NLA's Board review the fiscal integrity of NLA in order to ensure that sound financial procedures are in place and are being followed. The adherence to such sound financial practices by NLA is a condition for the continuance of the charter.

Each fiscal year, the NLA Board oversees selection of an independent auditor with experience in educational finance and who appears on the State Controller's list of educational auditors and the completion of the annual audit of the school's financial affairs. The audit verifies the accuracy of the school's financial statements, attendance and enrollment accountings practices, and reviews the school's internal controls. The audit is conducted in accord with generally accepted accountings' practices applicable to the school. To the extent required under applicable law, the audit scope is expanded to include items and processes specified in any applicable Office of Management and Budget Circulars. The annual audit is completed by December 15th following the close of the prior academic year and copies are sent by that date to the San Bernardino City Unified School District and the California Department of Education. NLA's Administrative Assistant reviews any audit

exceptions or deficiencies and report to NLA's Board with recommendations on how to resolve them to the satisfaction of the San Bernardino City Unified School District. The NLA Board reports to the San Bernardino City Unified School District regarding how the exceptions and deficiencies have been or will be resolved to their satisfaction. The NLA Board completes this process within 60-days of audit receipt. All deficiencies shall be addressed to the satisfaction of the District.

Business Practices and Contracting for Services and Goods

NLA may, where permitted, contract with San Bernardino City Unified School District for goods or services which the District, at its discretion, may choose to make available. Such contracts, however, shall not be construed to negate the operational independence of NLA from the District.

NLA may choose to contract for accounting, budgeting, payroll, professional development, fiscal and business management service functions. At minimum, on an annual basis, the Principal and the Board evaluate the services being provided. The school notifies the District no later than August 1 each year as to the entity providing such services.

Financial Reporting

NLA provides reports to the San Bernardino City Unified School District as follows, and shall provide additional fiscal reports as requested by the District or required by the MOU with the Authorizer:

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of NLA's annual, independent financial audit report for the preceding fiscal year is delivered to the San Bernardino City Unified School District, State Controller and State Department of Education;
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31; and
4. By September 15, a final unaudited report for the full prior year. The report submitted to the San Bernardino City Unified School District includes an annual statement of all NLA's receipts and expenditures for the preceding fiscal year.

ELEMENT 10

STUDENT SUSPENSIONS AND EXPULSIONS

The Student Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at NLA. When the policy is violated, it may be necessary to suspend or expel a student from regular classroom

instruction. This policy serves as NLA'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 comply with legal requirements.

Staff enforces disciplinary rules and procedures fairly and consistently among all students. This policy and its procedures clearly describe disciplinary expectations, and it is printed and distributed as part of the Student Handbook, which is sent to each student at the beginning of the school year. The NLA administration ensures that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

Discipline includes, but is not limited to, advising and counseling students, conferring with parents/guardians, detention during and recess, lunch or 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.

Suspended or expelled students are 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 NLA has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) 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. NLA follows all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom NLA 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 student.

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 NLA or at any other school, or 3) a NLA sponsored event. A student 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 student:

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 student had obtained written permission to possess the item from a certificated school employee, with the Principal 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 student.
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 pre---initiation into a student 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 student. 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 Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.

21. caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to students 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 students in any of grades 4 to 12, inclusive.

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

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 Principal or the Principal's designee with the student and his/her parent/guardian and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or 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 student shall be informed of the reason for the disciplinary action and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in his/her defense.

This conference shall be held within two (2) school days, unless the student 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 student for failure of the student's parent/guardian to attend a conference with school officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent/guardian at the conference.

2. Notice to Parents/Guardians

At the time of suspension, the Principal 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 Principal or Principal's designee, the student and the parent/guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following determinations: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

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 3 members who are certificated and neither a teacher of the student nor 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 30 school days after the Principal or designee determines that the student 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 student 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 student. 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 NLA's disciplinary rules which relate to the alleged violation;
4. notification of the student's or parent's/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 Offenses NLA 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 student.

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 (5) 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. NLA 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/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' testimony, 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/her to the witness stand.
7. If one or both of the support persons is also a witness, NLA must present evidence that the witness' presence is both desired by the witness and will be helpful to NLA. 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 student being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session if testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing 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/guardian, 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 student, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his/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 student shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The principal 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's/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with NLA

The principal 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:

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

J. Disciplinary Records;

NLA shall maintain records of all student suspensions and expulsions at the NLA. Such records shall be made available to the District upon request.

K. No Right to Appeal

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

L. Expelled Students' Alternative Education

Students 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 NLA 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 student may reapply to NLA for readmission.

N. Readmission

The decision to readmit a student or to admit a previously expelled student from another school, San Bernardino City Unified School District or NLA school shall be in the sole discretion of the NLA Governing Board following a meeting with the Principal and the student and parent/guardian or representative to determine

whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the NLA Governing Board following the meeting regarding his or her determination. The student's readmission is also contingent upon NLA's capacity at the time the student seeks readmission.

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

i. Notification of SELPA

NLA 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 NLA or San Bernardino City Unified School District would be deemed to have knowledge that the student had a disability that is suspended for more than ten (10) school days during a school year.

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 student'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 student with a disability because of a violation of a code of student conduct, NLA, the parent/guardian, and relevant members of the IEP Team shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parent/guardian to determine:

1. if the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
2. if the conduct in question was the direct result of the Local Education Agency's failure to implement the IEP.

if NLA, the parent/guardian and relevant members of the IEP Team

determine that either of the above is applicable for the student, the conduct shall be determined to be a manifestation of the student's disability.

If NLA, the parent/guardian and relevant members of the IEP Team make the determination that the conduct was a manifestation of the student's disability, the IEP Team shall:

- a) conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such student, provided that NLA had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) if a behavioral intervention plan has been developed, review the behavioral intervention plan if the student already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) return the student to the placement from which the student was removed, unless the parent/guardian and NLA agrees to a change of placement as part of the modification of the behavioral intervention plan.

If NLA, the parent/guardian 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 NLA may apply the relevant disciplinary procedures to students 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/guardian of a student with a disability who disagrees with any decision regarding placement, or the manifestation determination, or NLA believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others, may request an expedited administrative hearing through the NLA Board of Trustees.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent/guardian or NLA, 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/guardian and NLA agree otherwise.

v. Special Circumstances

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

The Principal 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
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 IDEIA and who has violated the District's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if NLA had knowledge that the student was disabled before the behavior occurred.

NLA 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 NLA supervisory administrative personnel, or to one of the student's teachers, that the student is in need of Special Education or related services.
- b) The parent/guardian has requested an evaluation of the student.
- c) The student's teacher or other NLA personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the Principal of Special Education or to other NLA supervisory personnel.

If NLA 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 IDEIA---eligible students with disabilities, including the right to stay---put.

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

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

Compliance with the procedures set forth in this section of this Charter shall be the only processes for NLA to involuntarily dismiss, remove, or otherwise exclude a student who attends NLA from further attendance at NLA for any reason, including but not limited to, disciplinary and academic causes. Revisions to the causes or procedures for suspension or expulsion shall constitute a material revision to this Charter Pursuant to Ed. Code section 47611.

ELEMENT 11

RETIREMENT SYSTEMS

Governing Law: “The manner by which staff members of the charter school will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System or federal social security.” Education Code Section 47605(b)(5)(K)

Retirement Systems

NLA enrolls all eligible certificated staff in State Teachers Retirement System (“STRS”) in order for them to receive employee retirement benefits as set forth below as mandated by this Charter, the State of California and the San Bernardino County Superintendent of Schools. NLA uses a retirement reporting system compatible with the SBCSOS to report contributions in a timely matter. The Board of NLA is responsible for ensuring that all members of the NLA staff are placed in the appropriate retirement system.

NLA shall notify all applicants for positions with the charter school that accepting employment in the charter school may exclude the applicant from further coverage in the applicant’s current retirement system.

Certificated Employees

All full-time salaried eligible employees of NLA participate in a defined benefit Plan (“STRS” or “Plan”), as established by the State of California and the SBCSOS. As part of the Plan, all salaried employees contribute the required percentage of their salary. Newman

Leadership Academy makes a “matching” contribution, as set by the State of California. All withholdings from employees and from Newman Leadership Academy are sent to the Defined Benefit Plan (STRS) as required. Employees accumulate service credit years in the Defined Benefit Plan as determined by the terms of Defined Benefit Plan and the NLA Charter School Board of Trustees. The vesting period and other relevant Plan terms are defined as set forth in the Plan.

Any employee who leaves the school, whether voluntarily or is terminated for cause, prior to the end of the vesting period as defined by the Plan, receives all contributions (8.00%)* deferred by them from their paycheck. The monies contributed by NLA (8.25%)* will remain in the Plan.

Non-Certificated Employees

Non-certificated employees are eligible to participate in Federal Social Security. NLA will pay its 7.65%* contribution to Social Security and deduct 7.65%* from the employee salary for a total of 15.3%* of the Social Security contribution.

Social Security

All employees who must contribute to Social Security according to federal and state laws and do not contribute to either STRS or PERS because they are ineligible to participate in the Plans, will continue to contribute to Social Security (and not to either Plan) in the same manner with employee withholding and NLA matching for a total of 15.30%*.

Labor Procedures

All NLA certificated staff have a term contract which specifies that they are at will employees. For specific language, please see below:

Nothing in this petition, or in any other document or statement, shall limit NLA’s right to terminate an employee at any time, with or without cause, or to make changes to an employee’s position, title, job responsibilities, benefits, compensation level, or any other terms and conditions of employment.

No manager, supervisor, or other employee of NLA, or any of our schools, has any authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than “at will” employment. Only the Board of NLA has the authority to make any agreement with another employee, which must be in writing and signed by the employee and the Principal of NLA, for any employment term other than “at will” employment.

The support, evaluation, and intervention process for NLA staff is constantly being improved. More than an evaluation process, it is a philosophy. This process considers all aspects of the person at work: from the teacher in the classroom to the colleague in the staff meeting or the staff person at a school or in Newman Leadership Academy “home” office. Currently, NLA has a truncated version of this process; however, as we grow, we

expect this process to evolve. The process will involve three components that directly relate to each other, but also function independently of each other. These three (3) components are (1) Ongoing Support, (2) Evaluation and (3) Intervention. The NLA “home” office will use these three structures for administrative functions as well. NLA office formal evaluation process will typically occur annually.

1. Ongoing Support

NLA believes that being an educator is a professional role that can be enhanced through continued scholarship, collegial interaction, evaluation, goal setting, self--assessment, and involvement in educational work beyond the school. Therefore, to assure that staff participates in meaningful activity beyond the classroom, the Principal will plan time for professional development that will challenge and enhance their teaching instructional and support. This work might include structured dialogues, conferences, workshops, school visits, peer observation and coaching, etc.

2. Evaluation

All new and developing staff is to be evaluated every school year. The purpose of the evaluation is to identify effective performance, improve the instructional program and encourage professional growth. Administrative staff will participate in the evaluation by classroom visitations, observations in professional settings, and conferences.

3. Intervention

All NLA’s staff is expected to work to create a positive atmosphere. This means that each of us must attempt to resolve issues of concern directly and in a supportive manner. The following intervention process is designed to have issues of concern resolved and to have a successful staff. Please note that this process does not apply to: (1) complaints of harassment or discrimination, which are governed by a separate section, (2) other situations requiring immediate response as determined by NLA’s sole discretion. The Principal will act as the point person in the intervention process. This intervention process does not change any employee’s employment status, which remains at--will at all times, nor does it guarantee any rights or process prior to a disciplinary decision or termination of employment.

*These numbers are subject to change as mandated by the STRS administration as well as the Federal Social Security Administration.

ELEMENT 12

ATTENDANCE ALTERNATIVES

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

No student is required to attend Newman Leadership Academy. Students who reside within the District who choose not to attend NLA may attend school within the District according to District policy or at another school district or school within the District through the District's intra and inter-district policies. Parents/Guardians of each student enrolled in the charter school will be informed on admissions forms that the students have no right to admission in a particular school of an Local Education Agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the Local Education Agency.

ELEMENT 13

RETURN RIGHTS OF EMPLOYEES

Governing Law: *“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 Section 47605 (b)(5)(M)*

No public school district employee shall be required to work at the Charter School. Employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law.

All employees of the Charter School will be considered the exclusive employees of the Charter School and not of the District, unless otherwise mutually agreed in writing between the District and the Charter School. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at the District or any other entity, including any rights in the case of closure of the Charter School.

ELEMENT 14

DISPUTE RESOLUTION PROCESS

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 Section 47605(b)(5)(N).*

1. Should District determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound

by any portion of this dispute resolution process and may commence revocation proceedings immediately or take action, as it deems necessary.

2. If the violation or issue in question does not constitute a severe and imminent threat to the health or safety of pupils, but constitutes a material violation of the Charter or law, the District will provide written notification of the violation or issue. The date that this notice is sent shall be the "Notice Date." This notice will constitute the notice required under the provisions of Education Code 47607(d) prior to revocation of a charter. Upon issuance of this notice, a meeting will be scheduled to discuss and possibly resolve the dispute. Both parties must have representatives present at this meeting and under no circumstances will the meeting be held more than ten (10) business days after the Notice Date. The District representative at the meeting will be the Superintendent or the Superintendent's designee, and the NLA representative will be the Director, or the Director's designee. If the dispute is not resolved at this meeting, the parties will proceed to step three.
3. District shall send written notification to NLA summarizing the result of the meeting held pursuant to Step 2 and setting forth the violation or issue and demanding that it be cured. District shall provide NLA a reasonable amount of time to cure the violation or issue. If NLA determines that the time needed to cure is more than thirty (30) business days, NLA shall notify the District as such in writing. If NLA determines that the time needed to cure is more than sixty (60) days, NLA shall notify the District in writing and set forth a specific deadline date to cure, which date shall be subject to approval by the Superintendent of District. All periods of time from the Notice Date through the completion of this formal time given for cure (as well as any time during which any informal attempts at resolution are undertaken by the parties), shall constitute the reasonable cure period required by Education Code section 47607 prior to revocation of a charter. If the violation or issue is not cured within this time period, the parties will proceed to step four.
4. If the violation or issue is not cured within the time period in step three, the District may commence revocation of the Charter and/or other appropriate action in accordance with Education Code section 47607 or applicable law.
5. The parties shall exchange information as necessary to avoid disputes and assist in curing disputes and shall use their best efforts to resolve disputes between them at the earliest possible time.
6. In the event of a dispute raised by NLA against the District over the terms of the Charter, NLA shall put the dispute in writing to the Superintendent or designee, and the District Superintendent or designee shall meet with the Director or the Director's designee to seek resolution within two weeks of receiving the written complaint. After this meeting if resolution is not reached, both parties are free to pursue any other legal remedy available. However, mediation may be commenced with the agreement of both District and NLA, with the costs of the mediator to be split by both parties.

ELEMENT 15**LABOR RELATIONS/ CHARTER AS EMPLOYER**

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.” – Education Code Section 47605(b) (5) (O)*

All employees shall be employees of the Newman Leadership Academy and not employees of the District, County or State Board of Education for purposes of the Education Employment Relations Act.

ELEMENT 16**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 student records.” – Education Code Section 47605(b)(5)(P)*

Closure of the Charter School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities. The closure entity will be the Principal, unless the Board takes action to name another individual.

The Board of Directors will promptly notify parents and students of the Charter School, the District, the San Bernardino County Office of Education, the Charter School’s SELPA, the retirement systems in which the Charter School’s employees participate (e.g. Public Employees’ Retirement System, State Teachers’ Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils’ school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the Charter School.

The Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils’ districts of residence, which they will provide to the entity responsible for closure---related activities.

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act (“FERPA”) 20 U.S.C. § 1232g. The Charter School

will ask the District to store original records of Charter School students. All records of the Charter School shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure--related activities in accordance with applicable law.

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and upon the dissolution of the non--profit public benefit corporation shall be distributed in accordance with the Articles of Incorporation. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

Miscellaneous

Term and Renewal of Charter

The term of this Charter shall run from July 1, 2017 through and including June 30, 2022. NLA may submit a request for renewal of its Charter between October 1, 2021 and January 31, 2022 unless otherwise agreed with the District, which timing the parties agree will provide adequate information regarding NLA's performance during the current term, specifically including increases in pupil academic achievement, while also providing adequate time for the consideration of and action on the renewal request. NLA understands and agrees that only after all renewal documentation, specifically including formal documentation of compliance with the applicable academic performance requirements (from a source such as CDE, not created internally by NLA) and the documents specified below, has been submitted to the District Office, receipt of the Charter renewal will be placed on the next regular or special District Board meeting agenda for which meeting the agenda deadline has not passed, and such receipt by the District Governing Board shall commence the timelines for action on the renewal request. NLA further acknowledges that District Governing Board agenda deadlines are generally at least two weeks prior to the Board meeting, and understands that receipt of the renewal request will be placed on a Board agenda in accordance with the District's normal agenda deadline requirements, and NLA may obtain specific agenda deadline information from the District Superintendent or designee prior to submittal.

Any renewal request shall include all of the following materials:

1. At least 12 hard copies (in notebooks or otherwise bound) of the entire renewal Charter, with the entire document (including any appendices, exhibits, or attachments) sequentially numbered from the first through the last page (including any appendices, exhibits, or attachments), and also including a table of contents which includes references to all appendices/exhibits/attachments;
2. A redline comparing the renewal Charter to the current Charter included in each notebook;
3. An electronic (Word not PDF) version of both the clean and redline versions of the renewal Charter.

The renewal process shall be governed by the provisions of Education Code Section 47607 and the California Code of Regulations, Title 5, Section 11966.4, or the provisions of law that may supersede, modify, amend, or succeed those provisions. Each renewal of the Charter shall be for the time period specified by law applicable at the time of the renewal.

The District Governing Board delegates to the Superintendent or designee and the NLA Board delegates to the Principal or designee authority to waive or extend the timelines in this Charter,

law, or applicable regulation for consideration or action on material revisions and/or renewal of this Charter.

Newman Leadership Academy may request from the San Bernardino City Unified School District that an amendment be made to the charter at any time prior to expiration. Any such request for material revisions to this charter shall include all of the documents (hard copies and electronic) in the formats specified in this section for requests for renewal. The District's timelines for considering and acting on any request for material revision shall commence only upon receipt by the District Governing Board, which shall be agendaized for the District Board's next regular meeting following delivery of all of the required documents, as specified in this section, for which meeting the District's agenda deadline has not yet passed.

Oversight Fee

The District shall charge NLA for supervisory oversight of NLA up to any maximum permitted by law (currently described and limited in Education Code section 47613), currently set at 1%. unless the District Board contracts out a portion of this oversight to a third party pursuant to Education Code section 47605.6(c). NLA acknowledges that the District actual costs in conducting its oversight obligations will meet or exceed the maximum percentage permitted by law and the District shall not be required to submit documentation of its actual oversight costs.

APPENDIX A: School Management Contract

**APPENDIX B: Impact on the Charter Authorizer
(San Bernardino City Unified School District)**

There will be no impact relative to the facilities on the San Bernardino City Unified School District. Newman Leadership Academy will be located at 1314 E Date Street, San Bernardino, California, 92404. The facilities will comply with all county, state and federal guidelines for occupancy of public school students.

Newman Leadership Academy will enter into agreements with the San Bernardino City Unified School District for services needed by students and/or staff that are beyond the scope of services that can be offered by NLA.

Appendix C Sample Grade Level/Course Curriculum

APPENDIX D Articles of Incorporation and Bylaws

APPENDIX E Conflict of Interest Policy

APPENDIX F Annual Statement

NEWMAN LEADERSHIP

ACADEMY ANNUAL STATEMENT

THE UNDERSIGNED, being a director, officer, or member of the Charter for delegated power, hereby affirms the following:

1. I have received a copy of the Conflict of Interest Policy.
2. I have read and understand the Conflicts of Interest Policy.
3. I agree to comply with the Conflicts of Interest Policy.

I understand that the Newman Leadership Academy is a non-profit organization and that in order to maintain its Federal tax exemption must engage activities, primarily, which accomplish one or more of its tax-exempt purposes.

Signed this _____ day of _____, 20 .

Signature

Printed Name

APPENDIX G Budget

APPENDIX H Facility Lease Agreement

APPENDIX I School Calendar

APPENDIX J School Wide Safety Plan