

**Charter School Petition  
Material Revision  
Excel Academy Charter School**



**For the Term of:**  
July 1, 2019 – June 30, 2024

**Presented to:**  
Warner Unified School District  
Warner Springs, CA  
DATE: February 12, 2019

## **Table of Contents**

<b>AFFIRMATIONS AND DECLARATION</b>	2
<b>ELEMENT 1: EDUCATIONAL PLAN</b>	4

<b>ELEMENT 2: MEASURABLE STUDENT OUTCOMES</b>	29
<b>ELEMENT 3: METHODS OF MEASURING PUPIL OUTCOMES</b>	53
<b>ELEMENT 4: GOVERNANCE STRUCTURE</b>	58
<b>ELEMENT 5: EMPLOYEE QUALIFICATIONS</b>	60
<b>ELEMENT 6: HEALTH &amp; SAFETY POLICIES</b>	66
<b>ELEMENT 7: RACIAL &amp; ETHNIC BALANCE</b>	70
<b>ELEMENT 8: ADMISSION POLICIES AND PROCEDURES</b>	71
<b>ELEMENT 9: INDEPENDENT FINANCIAL AUDITS</b>	74
<b>ELEMENT 10: SUSPENSION/EXPULSION PROCEDURES</b>	74
<b>ELEMENT 11: EMPLOYEE RETIREMENT SYSTEMS</b>	92
<b>ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES</b>	93
<b>ELEMENT 13: EMPLOYEE RETURN RIGHTS</b>	94
<b>ELEMENT 14: DISPUTE RESOLUTION</b>	94
<b>ELEMENT 15: PROCEDURES FOR CLOSURE</b>	96
<b>MISCELLANEOUS CHARTER PROVISIONS</b>	98

EXHIBIT A: Attendance Policy

EXHIBIT B: El Master Plan

EXHIBIT C: Articles of Incorporation, Corporate Bylaws, Conflict of Interest Code

EXHIBIT D: Tax ID Information, Non-Profit Tax-Exempt Status

EXHIBIT E: Administrative Job Descriptions

EXHIBIT F: EACS Budget Proposal

EXHIBIT G: Petitioners Signature Page

## **AFFIRMATIONS AND DECLARATION**

As the authorized lead petitioner, I, Heidi Gasca, hereby certify that the information submitted in this petition for a California public charter school to be named Excel Academy Charter School (“EACS: or the “Charter School”), operated by Community Collaborative Charter School (CCCS)<sup>1</sup> and to be chartered by the Warner Unified School District (“WUSD” or the “District”) is true to the best of our knowledge and belief. I also certify that this application does not constitute the conversion

<sup>1</sup>Community Collaborative Charter Schools is seeking a corporate name change to “Excel Academy Charter Schools,” effective July 1, 2020, upon agreement by all CCCS-operated charters schools’ respective charter authorizers. A copy of the filed stamped Certificate of Amendment shall be submitted to Warner Unified School District upon approval of the corporate name change, and all references to “Community Collaborative Charter Schools” or “CCCS” in this charter shall be understood to mean “Excel Academy Charter Schools.”

of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- EACS shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and any other statewide standards authorized in statute or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Community Collaborative Community School declares that it shall be deemed the exclusive public school employer of the employees of EACS for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(6)]
- EACS shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- EACS shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- EACS shall admit all students who wish to attend the Charter School unless EACS receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(d)(2) and Education Code Section 51747.3, 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)(i)-(iv).
- EACS shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- EACS shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004.
- EACS shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. California Code of Regulations, Title 5, Section 11967.5.1(f)(5)(c)]
- EACS shall ensure that teachers at EACS hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to non core, noncollege preparatory teachers. [Ref. Education Code Section 47605(l)]
- EACS shall at all times maintain all necessary and appropriate insurance coverage.

- EACS shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves EACS without graduating or completing the school year for any reason, EACS shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(d)(3)]
- EACS shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- EACS shall on a regular basis consult with its parents and teachers regarding EACS's education programs. [Ref. Education Code Section 47605(c)]
- EACS shall comply with any applicable jurisdictional limitations to locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- EACS shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610(c)]
- EACS shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by the Every Student Succeeds Act (“ESSA”).
- EACS shall comply with the Public Records Act.
- EACS shall comply with the Family Educational Rights and Privacy Act.
- EACS shall comply with the Ralph M. Brown Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. California Code of Regulations, Title 5, Section 11960(b)]

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 Lead Petitioner Signature

2/1/2019  
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 Date

## **ELEMENT 1: EDUCATIONAL PLAN**

*Governing Law: The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that*

*program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. – California Education Code Section 47605(b)(5)(A)(i).*

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

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

## **1) Mission**

Excel Academy will provide flexible, personalized learning through a customized course of study that will educate, motivate, and instill a love of learning in each individual student. Teachers and parents will join together to maintain high expectations and promote academic excellence for all students creating the next generation of leaders.

## **2) Vision**

Life is what you create....at Excel Academy we bring students to LIFE through:

**LEARNING:** The primary goal of Excel Academy is that each student continues to grow in knowledge, ability and social/emotional intelligence. Students are encouraged to work any time, any place, and are supported by teachers, curriculum and staff that will adapt to the uniqueness inherent in every student and learning situation. Excel Academy pursues a learning environment where every student will be challenged by, enjoy, and help direct their own education.

**INDEPENDENCE:** Excel believes one of the key elements of an optimal education is to place the student in a climate where curiosity and exploration are rewarded. While Excel Academy’s curriculum aligns itself to California’s academic content standards, each family may avail themselves of alternative or supplemental learning resources that can help prepare each student for the real-life complexities of higher education and the ever-changing job market.

**FLEXIBILITY:** Flexible pacing enables each student, under the guidance of the teacher of record, to target individual needs without the demands of a classroom. By developing an awareness of their own unique learning style and advancement in their communication abilities, students and families will be enabled to discover their greatest areas of need and direct their efforts accordingly.

EMPOWERMENT: Excel Academy strives to empower students to take ownership of their education and develop not only the appropriate knowledge, skills, and abilities, but also the confidence, creativity, and discipline to help them adapt to the challenges and opportunities of the 21st century.

### **3) Educational Philosophy and What it Means to be Educated in the 21st Century**

The Charter School seeks to attract and serve a group of students who can benefit from instruction that is more freely scheduled, flexibly paced, individually targeted, and closely monitored than can occur in a traditional “brick and mortar” classroom. EACS’s model becomes distinguishable from other virtual/homeschool or self-directed learning models in that students benefit from a high level of personalized support from professional educators, a feature lacking in other virtual and homeschool settings.

The petitioners believe that each student has unique needs and that educational success depends on personalizing learning and providing the appropriate high quality resources, services, and support to meet those needs.

This learning climate is made possible by utilizing diverse curriculum options that are aligned to California’s academic content standards, including Common Core State Standards (“CCSS”), Next Generation Science Standards (“NGSS”), History-Social Science Framework, English Language Development (“ELD”) Standards, and other applicable state content standards (hereinafter, collectively, “State Standards”), and targeted to individual learner needs. Our curriculum is delivered through online and home school models that balance the unique advantages of traditional and virtual classroom approaches. The curriculum is designed to cover the full content in each core subject by the end of each academic year. However, the flexible pacing in our approach enables the student, under the guidance of the teacher, to spend more intensive time and effort in areas of need. This model allows teachers to better address each student’s unique learning and communication style, cultivate independent thought, and offer alternative or supplemental learning options that prepare students for the real-life complexities of higher education or the job market in the 21st century.

EACS’s educational model is intended to cultivate learning habits that keep the mind open, curious, and alert. An “educated person in the 21st century” is able to learn continuously, perceive opportunity, and adapt talents and skills to novel situations. These characteristics and habits reveal themselves when a person adapts learned capabilities to a job or career that did not exist when those capabilities were first formed. This dynamic demonstrates that the curious and openminded are by nature lifelong learners. Our model engenders this mentality by enabling the student to interact with the curriculum in a manner that motivates him or her to pursue individual interest while proceeding through the required content.

EACS will position its students for success by enabling students to learn any time, any place, and by deploying flexible learning, teaching, curricular, and staffing models that adapt to the uniqueness inherent in every student and learning situation. It will empower them to take ownership of their education and develop not only knowledge, skills, and abilities, but also the confidence, creativity, and resourcefulness to deploy them adaptively in response to the challenges and opportunities of the 21st century.

#### **4) WASC and Plan for Transferability of Courses**

EACS will seek Western Association of Schools and Colleges (“WASC”) accreditation in the 2019/2020 school year. EACS will inform parents about the transferability of courses to other public high schools and how those courses meet college entrance requirements for the University of California and California State University through individual meetings with the student’s assigned teacher, parent information meetings and via the high school handbook that is provided to all high school students and parents. Teachers will receive annual training in these requirements.

#### **5) Overview of School Program**

The EACS program serves students in K-12th grade. Students in our program develop a personalized education plan with the support and guidance of their assigned highly qualified teacher, leadership support team, and high school counselor. This plan is highly customizable and flexible in order to meet the unique needs of each student and family. As part of the plan, the teacher will support the parent in identifying his/her educational philosophy. The educational plan will be supported through selecting curriculum, materials, and educational services that are tailored to that custom plan.

K-8 students are assigned a teacher who is trained in the various school supported philosophies such as Charlotte Mason, Classical, Montessori, traditional, Waldorf, unit study, and customized/eclectic. The parent, teacher, and student develop a personalized plan that will meet the student’s unique needs. Students are able to use instructional funds to purchase curriculum, materials, and to take classes through our extensive vendor list. They may participate in extracurricular activities such as the arts and sports, as well as to take advantage of additional academic support through tutors and in-person core classes. The teacher ensures all materials and activities purchased with the school’s funds support the student’s educational plan and are allowable per the law. EACS is committed to providing opportunities for our students to connect in the community and to broaden their learning through those community opportunities. A few examples of how this may be accomplished is through state standards aligned field trips, participation in a math club, Spelling Bee and National Geographic Bee, community events at parks, regional vendor events and an annual science fair.

Students in grades 9-12 are assigned a primary Teacher of Record (“ToR”) as well as a High Qualified Teacher (HQT) who is a subject matter expert in the CORE subject areas, high school curriculum options, college and career readiness and school-specific high school options leading to graduation and meeting their post-high school goals. In addition to monthly training meetings and bi-annual in-service workshops, our high school coordinator and high school guidance counselor attended the annual UC Counselor Conference, as well as online webinars offered by the College Board.

Our highly experienced high school department works with each student and parent individually to custom build the student’s semester and four-year plan. Students have abundant opportunities to participate in co-curricular and extra-curricular options including: high school career oriented field trips, 4-year and community college tours, virtual and in person clubs, student council and National Honor Society. We also offer regional social gatherings to facilitate community and team-building among high school students.

Guidance staff work with students and education advisors to facilitate personalized career and educational planning through both individual and school wide planning workshops focusing on college and career preparation. A college and career readiness course is required. Students are informed about the various paths to graduation and are offered support in reaching their highest potential.

EACS will submit and maintain a UC A-G course list that will include the approved online courses from our vendors as well as our school's own project and textbook based courses. In addition to core courses, EACS will offer an array of electives reflecting a wide range of student interests including communications, social science, fine arts, languages other than English, computer skills, and career and technical education courses. EACS will also facilitate community college concurrent enrollment for qualified, interested students.

ToRs encourage student achievement through mentoring and support. ToRs personalize students' college and career readiness courses to meet their individual interests and goals. In addition, the guidance department organizes college information sessions in the fall and in spring. In the fall these sessions are geared toward understanding the college application process. Eighth grade high school transition sessions are held in the spring to assist in preparing students for 9th grade, and sessions are held for 11th graders to guide them in planning their senior year.

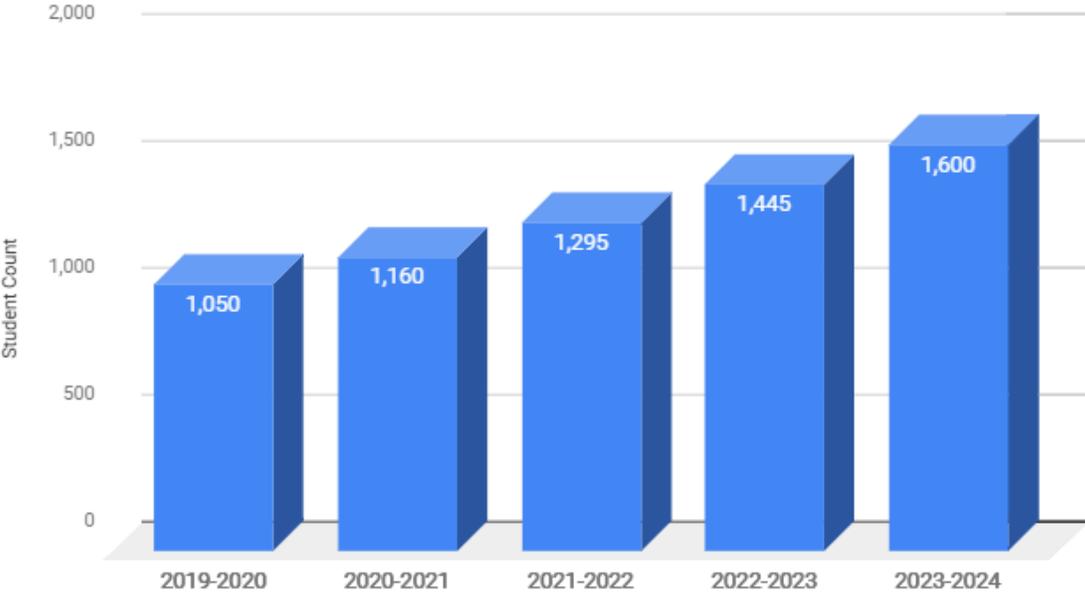
## **6) Whom We Attempt to Educate**

EACS will be open to all students in grades K-12 in San Diego County, and its contiguous counties. EACS will be nonsectarian in its programs, admission policies, employment practices, and all other operations. EACS shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, gender, religion, national origin, ability, disability, or place of residence.

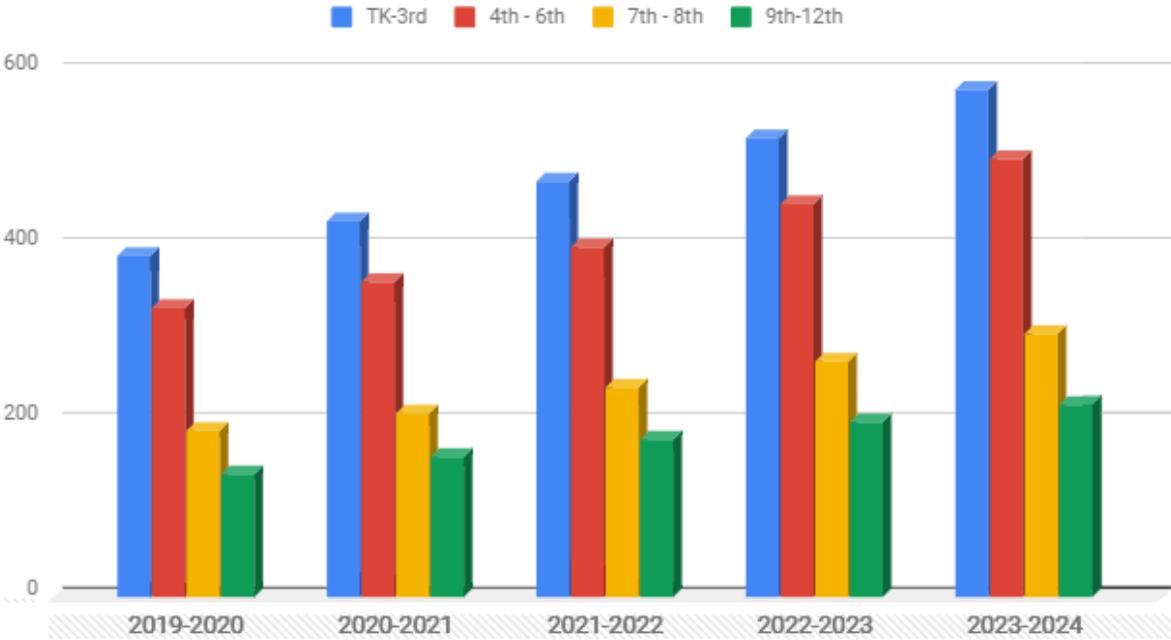
EACS will seek to serve any student who demonstrates an interest, desire, and aptitude for an independent study personalized learning environment. This includes students who are high performing or potentially so, but find too much distraction or too little stimulation in the traditional classroom environment. Alternatively, this includes students who need more one-on-one support and will thrive working in the home with their parent supporting the day-to-day instruction. The charter school's model will also serve students who need an alternative to daily classroom attendance. These students may work during the day or may not be motivated to attend school on a full-time campus for many reasons. The EACS model is designed to serve all of these students effectively through diverse curriculum options and dedicated, individualized teacher support.

EACS will serve grades K through 12. The projected enrollment for the 2019-2020 school year is 1050 students and we anticipate that during the five-year term of this petition, that the enrollment will increase to approximately 1,600 students.

### Projected Enrollment Numbers

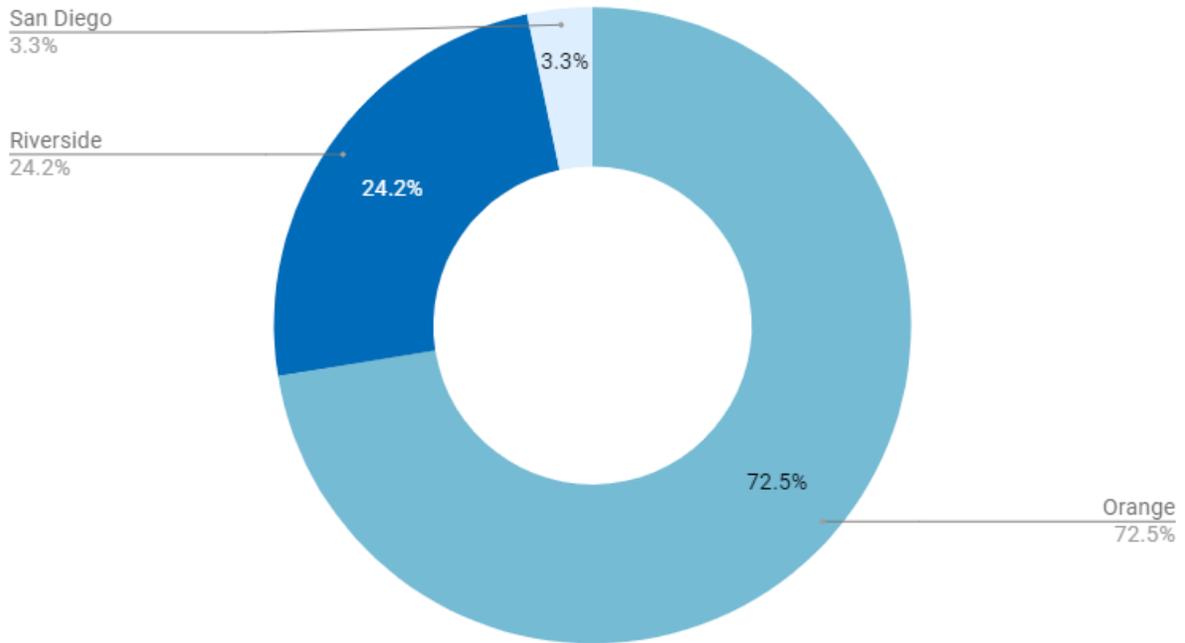


### Projected Enrollment By Grade

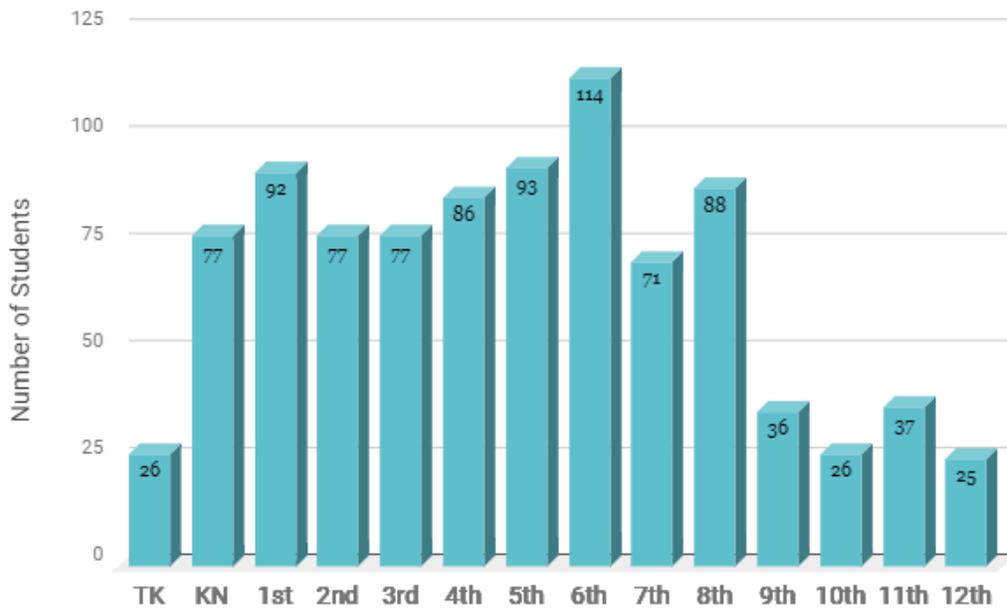


## Current Enrollment Numbers

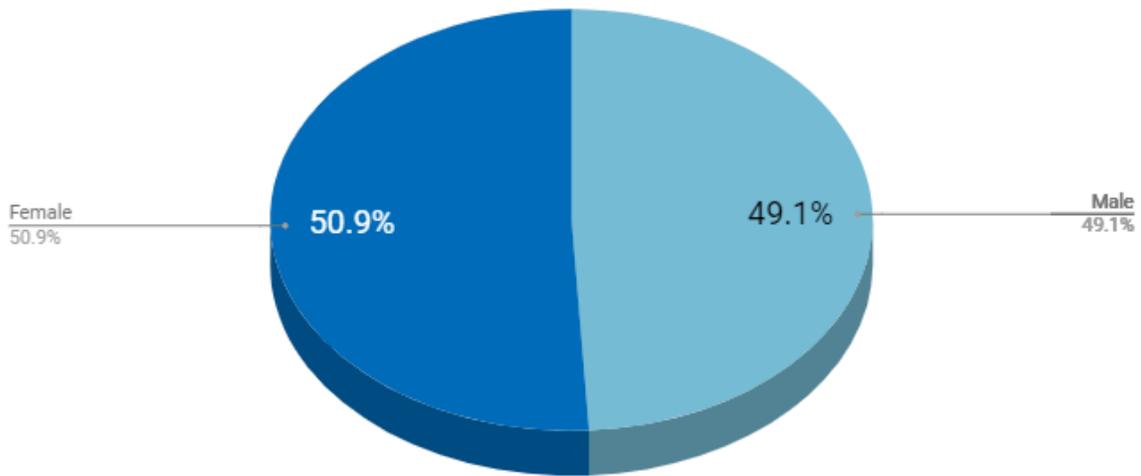
### Students by County



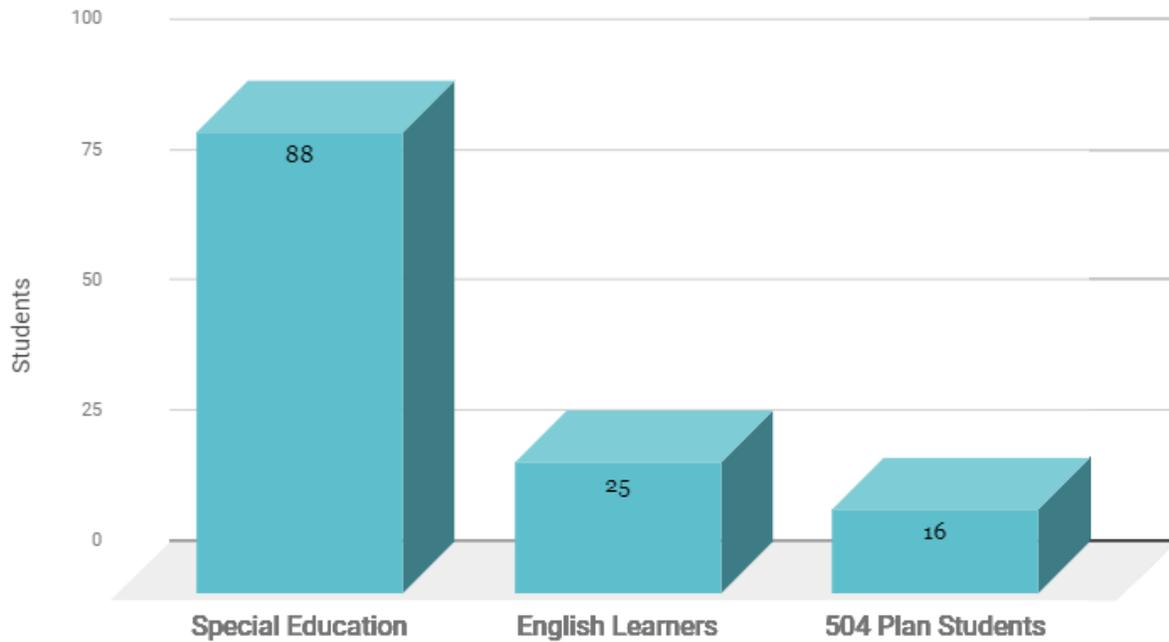
### Students by Grade Level

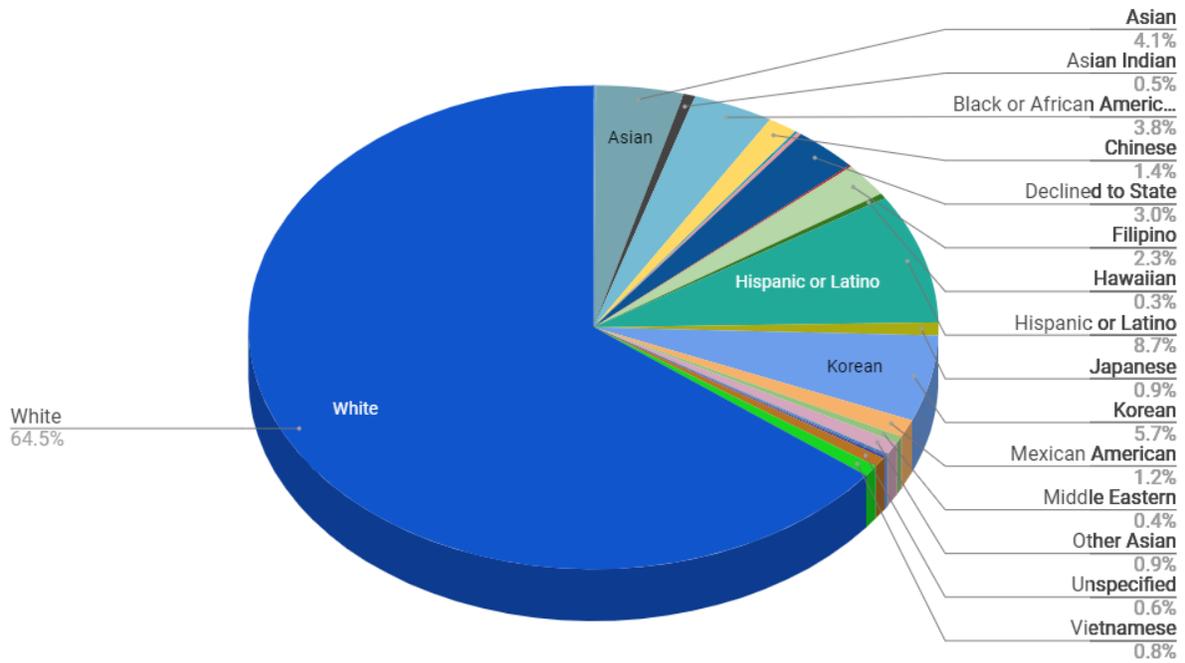


## Students by Gender

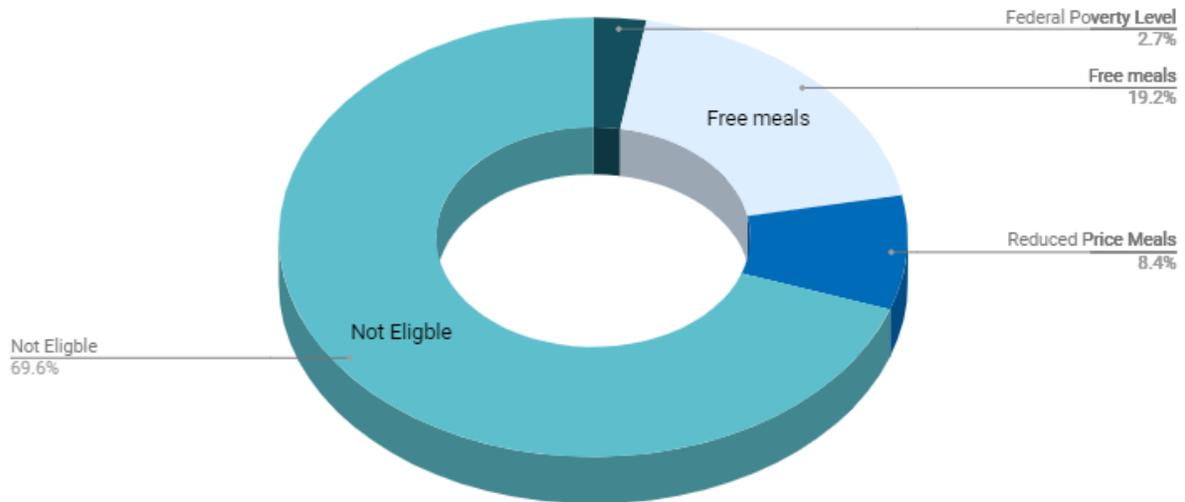


## Special Program Enrollments

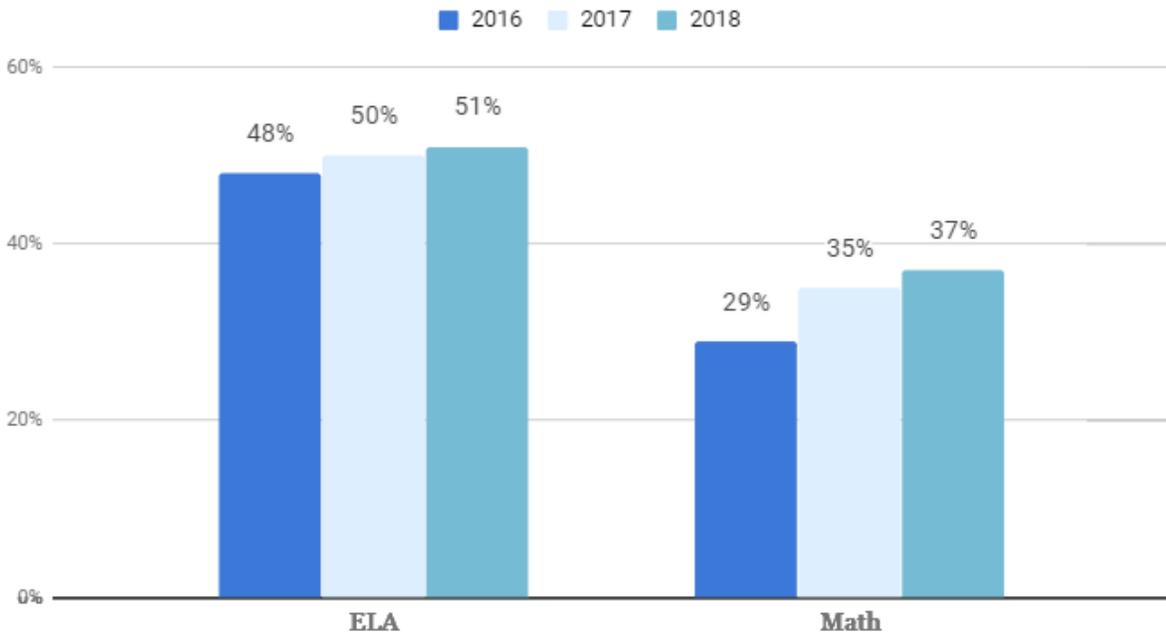




### Student Income Level



## CAASPP: % Met or Exceeded



### 7) Curriculum and Instructional Design Student Information System

School Pathways is an example of a Student Information System (“SIS”) that EACS will use. The SIS keeps all student information and allows the Charter School to continually assess its educational program to make data driven decisions relative to course offerings and student outreach. The SIS has a sophisticated reporting capability that all faculty and staff have access to at varying levels (access is granted dependent on employee status and job needs). This system houses student information and records, employee information and records, grades and transcripts, and state testing information. The SIS self-reports relative to state reporting mandates such as CALPADS. It is one of the only Student Information Systems of its kind relative to state reporting and is quite sophisticated and reliable.

In addition, the SIS provides the capability of making decisions about curriculum offerings and teacher assignments, determining correct student course placement, using state testing data for student placement and support needs, and tracking grades and progress toward graduation. EACS strives to be a data driven organization in order to make decisions that best serve the needs of the student and help them become successful graduates of the Charter School.

### Curriculum Overview

EACS offers a wide and diverse range of curriculum offerings and provides students with many options and pathways to prepare students to meet their individual educational, personal, and post high-school goals. In order to accomplish this, EACS contracts with multiple vendors to offer the most up to date, quality curriculum possible. The curriculum is chosen by the parent, teacher and

student. EACS families have access to a highly qualified leadership team to support curriculum options and pathways. Curriculum selection is based on State Standards, student's learning style, student's working level, and the educational philosophy being followed. The teachers have access to curriculum, including the state-approved material list, as well as curriculum associated with various educational philosophies.

## **High School Curriculum**

Core courses cover all the essential subject divisions within each of these academic areas: language arts, mathematics, history/social science, physical sciences, and life sciences. The Charter School will also offer an array of electives reflecting a wide range of student interests, including communications and the professions (e.g., speech and communications, psychology), fine arts studies, liberal arts (including foreign language), computer technology (e.g., computer applications, digital citizenship), and practical skills (e.g., health, strategies for academic success). Students needing UC/Cal State transferable units for lab sciences and visual and performing arts related subjects are provided various options for meeting this requirement such as taking the courses at a community college or through one of our vendor partners. Additionally, we accept the credit from community colleges as part of the graduation requirement.

EACS's high school course of study options are thoroughly vetted by our high school leadership team and staff of highly qualified single subject experts to ensure that each high school student receives a high-quality and rigorous State Standards-based curriculum. EACS offers diverse online options through quality online providers. The web-based curriculum provides students with a great deal of flexibility. All web-based providers are screened by our highly qualified teachers to ensure quality and rigor. Some examples might include: Odysseyware, BYU, Apex, and Edgenuity. EACS also offers text-based and community based in-person courses through qualified vendors.

EACS's graduation requirements include traditional university preparatory courses of English, mathematics, science, social science, World Language, and visual and performing arts; however, the curriculum courses will be provided in a manner that challenges each student to think beyond the subject matter that is presented and continually place new information in the context of their own knowledge base. EACS's graduation requirements applicable to non-charter public schools meet California Education Code requirements and students are counseled on how to meet additional college requirements based on their college goals. EACS curriculum will meet or exceed UC/Cal State A-G course requirements.

In addition to student planning sessions, the guidance department will provide staff trainings on meeting high school graduation requirements, meeting college entrance requirements and career preparation.

EACS provides staff and students with a recommended course sequence. Excel Academy students may choose an alternative sequence that suits their personalized graduation plan as long as graduation requirements are met and the course is aligned to State Standards.

## **Attendance Tracking**

Attendance policies and practices align with applicable law. Attendance is claimed using a two prong approach. In order to claim attendance, the student must engage in learning for each day

claimed (“daily engagement”) and additionally must complete the learning that was assigned by the teacher of record for the given learning period (“time value of work product”). Each learning period, the ToR will review the student’s completed assignments and will assign the correlating amount of attendance that matches the student’s daily engagement in an educational activity. The ToR will assign learning and evaluate that learning based on the individual ability and needs of the student. The ToR will work with the parent and student to plan out the appropriate amount of work for both attendance purposes and in order to support the student in meeting or exceeding standards as well as achieving personal goals. A copy of the draft attendance policy is attached as Exhibit A.

## **6) Plan for Students Who Are Academically Low Achieving Identifying and Understanding Low Achievers**

EACS’s instructional team is prepared to work with a diverse student population and to focus intensively on those who struggle academically and perform below expectations. The petitioners understand that students can find themselves struggling for a variety of reasons. Some have difficulty staying on task; others have become accustomed and resigned to lowered expectations based on a pattern of past setbacks. Some have difficulty with one subject area but not another. Some have trouble working in the early morning, or after lunch. Every student is different, and every struggling student struggles uniquely. This is, in fact, one of the major reasons why some students choose our model of education.

These students will be identified through past grades and state test scores, discussions with parents and previous counselors, Individualized Education Programs (“IEP”), writing samples, observation of student performance, and the results of diagnostic skills assessments that may be given to incoming students. Using this information, EACS teachers and counselors can create a pathway to success for each student. This involves not only appropriate course placement, but also accommodations and adaptations that teachers make to the curriculum and their approach to meet the needs of each individual student. Goal setting is also a priority during learning period (“LP”) meetings to build self-efficacy.

### ***Structural Elements and Strategic Responses for Raising Student Achievement Levels***

To meet the challenges faced by struggling students, teachers will offer continuous motivation and support, seek ways to engage students in meaningful learning, and work one-on-one with students and parents to ensure the educational plan is working to achieve the student’s academic and social emotional goals. These include individual student/teacher calls, teacher/parent phone conferences, academic team phone conferences (these include parents and student), and in person meetings.

The flexible nature of our pacing and curriculum allow teachers to provide remediation, support, and additional challenge wherever it is needed during the year, proactively supporting students and addressing individual needs before more intensive intervention efforts are required.

While all students can benefit from the flexible pacing inherent in the Charter School's academic program, struggling students in particular will benefit from a curriculum that does not mandate that all students demonstrate their knowledge and skills in identical ways or at identical times.

The academic program will be designed around a wide variety of assignments that afford students varied ways to demonstrate mastery of content. These include, but are not limited to: verbal discussions, written and verbal course assignments, practice assignments, quizzes, journals, essays, creative writing papers, research projects, group projects, exams, reviews/case studies, and ToR portfolios. Additionally, prep and/or remediation will be available to students in order to help them achieve proficiency on all CAASPP assessments.

Excel Academy uses a Multi-Tiered System of Support ("MTSS") to ensure equitable access and opportunity for all students to achieve State standards. Excel Academy uses the three tier model of Response to Intervention ("RTI"). Students are identified through formative and summative measures that occur as frequently as necessary.

### **The Three Tiered Model:**

**Tier One (Prevention)** At Tier 1, school-wide prevention efforts are established to promote learning for all students, anticipating that most students (e.g., 80%) will respond to these strategies and will not require additional intervention. EACS provides high-quality, standards based instruction in their learning environment from teachers, parents, and/or vendors, who have high academic and behavioral expectations. The virtual program affords students regular monitoring of progress and interaction with HQTs. The homeschool model lends itself greatly to the differentiated instructional model in that the parent and teacher(s) work together to customize each student's educational plan, including curriculum selection and instructional techniques. The wide array of options in terms of curriculum and instructional techniques truly acts as a multifaceted intervention that each and every one of our students has access to.

**Tier Two (Selected Structured Intervention)** At Tier 2, strategic intervention is established for students (e.g., 15%) who are identified as being at-risk of not meeting grade-level standards or long-term academic goals. We implement a school-wide academic screening that provides grade level equivalencies in both reading and math. These results provide an objective measure which identifies students who need a second layer of support. During Tier Two, students are provided access to additional intervention programs that provide: instruction, practice, and immediate feedback on their progress. With the presence of each of these three key components student gains increase dramatically. There is near constant communication between the Intervention Lead, ToR, and parent of our at-risk students. At minimum, data is collected monthly on student progress, through computerized assessments, ToR-led assessments and work samples. If adequate progress is not made or if more serious concerns arise, then the student is referred to the more in depth Student Study Team ("SST").

**Tier Three (Intensive Intervention)** At Tier 3, more intensive and entirely individual intervention is provided for students who are not making progress. The Intervention Lead, parent, ToR and various support staff, meet to determine the root of the struggle and provide targeted interventions. Measurable goals are established at the end of each SST meeting. The same team members reconvene 8-10 weeks later to check on student progress towards those personalized goals. For more intense situations, the SST may meet again after just 4-6 weeks. At this level, a student may be referred for evaluation and consideration of whether the student qualifies for

Special Education services according to the Individuals with Disabilities in Education Improvement Act.

The following core components are key aspects of MTSS frameworks in EACS:

- High-quality, differentiated instruction. All students receive high quality, standards-based (with a focus on Common Core State Standards), culturally and linguistically relevant instruction in their learning environment from teachers/parents, who have high academic and behavioral expectations. The EACS model lends itself greatly to the differentiated instructional model in that the parent and teacher work together to customize each student's educational plan including curriculum and instructional techniques. The teacher works with the parent to align the personalized course of study that integrates the Common Core State Standards and ensures high academic rigor and expected progress.
- MTSS ensures continuous student improvement at all levels. ToRs, parents and support staff work collaboratively towards student mastery of the Common Core State Standards. Support and strategies are offered following the collection and analysis of data and ToR input. The effectiveness of the Tier 2 intervention programs is surveyed through the perspective of parents and ToRs alike. In order to ensure continuous improvement at all levels, key members of the EACS staff meet regularly to evaluate the program.
- EACS staff collaborate to create an integrated data collection system that includes assessments such as state tests, adaptive diagnostics, progress monitoring, full body of work, work samples, and teacher observations to inform decisions about tiered support placement. Data collection methods, such as parent surveys are used for continuous systemic improvement.
- EACS staff work collaboratively with parents to assist in the development of proper behavior of the student in the learning environment. As the students are in a home-based learning environment, parents may experience behavioral issues that are negatively impacting the students' learning. The parent and teacher can brainstorm various behavior plans to help the student and parent. If the behavior proves to be more extreme, an SST is held to personalize and closely monitor a behavior plan for that student.

EACS provides RTI, as part of MTSS, which is led by the intervention lead where students, parents, and educators can come together to evaluate a student's performance and create a detailed, intervention driven educational plan to improve the student's academic progress. The RTI process is in connection with the general education plan, not special education. It seeks to provide a structured, communicative forum to address student needs. RTI plays a vital role in creating a high achieving school as expressed in the following goals: 1) enables parents to teach students more effectively, 2) enables students to achieve standards, acquire academic and social competencies, become independent learners equipped for life's challenges, and 3) create a collaborative culture among all involved parties. The primary function of the RTI process is to provide a routine, cohesive and focused "think-tank," where specific student struggles can be addressed and resolved through early intervention. ToRs will request an SST meeting when it becomes apparent that a student is not responding to standard teaching and the parent's attempt to implement different strategies independently has not been successful. Once the ToR and parent

have gone through both Tier 1 and Tier 2, and it has been determined that a student is at Tier 3, an SST meeting is scheduled.

The RTI process is not a substitute for a 504 Plan, nor does it determine eligibility for 504 accommodations. Nor does the RTI process prevent or impede a direct referral to the SPED Department by a parent. It makes recommendations regarding the full continuum of interventions and services available at EACS, including the provision of information to teachers and parents regarding the process of referring a student to the SPED Department.

### **Student Study Team**

An SST which includes parents, teacher, and other Charter School personnel, uses a systematic problem-solving approach to assist students with any concerns that are interfering with student success. The SST clarifies problems and concerns, develops strategies and organizes resources, provides a system for school accountability, and serves to assist and counsel the parent, teacher, and student. An SST is a general education function. All students can benefit from an SST, including but not limited to those students achieving below grade level, those who are achieving above grade level and require greater challenge, and students who have experienced social emotional trauma, behavioral issues, or language issues. The SST meetings are used in our MTSS/RTI program as a Tier 2 and Tier 3 support. After implementation of an SST plan, the team will further review and revise to address concerns that have not been adequately addressed or effectively resolved. In addition, a referral for special education assessment might be deemed appropriate through the SST process.

### ***Credit Recovery***

EACS's virtual and homeschool programs offer a credit recovery option for students. EACS credit recovery students have the potential to recover credits depending on how quickly courses are completed. Students receive personalized support from the Guidance Counselor and/or teacher which includes weekly check-ins via email or phone, a credit recovery plan of courses the student needs to retake, and encouragement and pacing assistance to keep students on pace and moving through the courses. Teachers are available to support students in their classes by phone, email, and the virtual classroom. They may provide students with recorded live sessions, tutoring, and any other support they need to be successful in their classes.

### ***AVID***

In addition, EACS implements an Advancement Via Individual Determination (“AVID”) program to target students in the academic middle—B, C, and even D students—with the desire to go to college and the willingness to persevere through academic and personal struggles. Typically, they will be the first in their families to attend college, and come from groups traditionally underrepresented in higher education. These are students who are capable of completing rigorous curriculum, but are falling short of their potential. AVID students may be placed on the college track, requiring them to enroll in their school's toughest courses, such as Honors and Advanced Placement. To support them in the rigorous coursework, AVID students learn organizational and study skills, develop critical thinking, learn to ask probing questions, receive academic help from peers and college tutors, and participate in enrichment and motivational activities to make their college dreams reality.

## **7) Plan for Students Who Are Academically High Achieving**

High achieving students are identified via the same process of investigation, observation, and analysis used to identify low-achieving students, as stated above.

EACS's personalized education model is ideal for supporting all students in their uniqueness, and this includes students who are high achieving. EACS offers individualized support for high achieving students in such ways as differentiated instruction, providing one-on-one instruction, providing access to higher level curriculum, and allowing for mastery of concepts to be demonstrated and assessed in the higher levels of Bloom's Taxonomy. Additionally, students in 7th and 8th grade may take high school level courses if they meet the Charter School's requirements.

The personalized model of education also allows high achieving students to work at an accelerated pace and/or to go in further depth on concepts as is needed and/or desired by the student and parent/guardian. Students are able to customize their education and accelerate in individual subject areas depending on their individual achievement levels and needs.

High achieving high school students, specifically, have many options for accelerating and going deeper into the curriculum. Students can take a rigorous course load through our honors and Advanced Placement (AP) courses. Additionally, high achieving students will have access to various community opportunities to further enhance their interests and studies such as CTE courses, community college concurrent enrollment courses, and other classes provided by our vendors. These students will also be encouraged to participate in supplemental programs such as the National Honor Society. School counselors will offer guidance through the college process, from creating a four-year plan, to concurrent enrollment, and culminating in the college application process during senior year. Exceptional students who wish to accelerate through the curriculum and graduate early will have an opportunity to do so with counselor and teacher approval.

## **8) Plan for English Learners**

EACS will develop and implement a plan to serve English Learner ("EL") students, including long-term English Learners ("LTELs") or English Learners at risk of becoming LTELs, which addresses their needs, meets all state and federal mandates until they have been Redesignated Fluent English Proficient ("RFEP"). EACS English Language Proficiency Assessments for California ("ELPAC") testing will be facilitated and proctored by trained, qualified members of staff. EACS will work with teachers to provide EL support in the general education setting as outlined in the charter's EL Master Plan (attached as Exhibit B). EACS will meet all applicable legal requirements for ELs as they pertain to annual notification to parents, 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. Documents including all ELPAC testing correspondence, all reclassification materials, and the Master Agreement will be translated, if needed.

### ***Identifying Students as EL***

Students are targeted for ELPAC testing when the Home Language Survey indicates that their primary home language is a language other than English.

- All students classified with the “to be determined” (TBD) designation via the home language survey will be given the ELPAC initial assessment within 30 days of enrollment.
- Students identified as EL will participate in the ELPAC summative assessment annually until they meet reclassification criteria and are RFEP.

### ***Strategies for English Learner Instruction and Intervention***

All EACS students are in an English Language Mainstream academic program with an EL support course or curriculum. The mainstream curriculum is supported by CLAD certified teachers and includes vocabulary, visual, and thematic based support. EL students are accommodated within this curriculum by providing multiple opportunities to demonstrate mastery on all assessments, including writing assignments.

All EL students are provided with English Language Development (“ELD”) curriculum to promote growth and enhance progress in development of their English language acquisition.

At EACS, the Pearson ELD paper pencil curriculum is comprised of several units per grade level and is provided to students in transitional kindergarten through 5th grade. Students in grades sixth through twelfth are provided curriculum through ESL Reading Smart. ESL Reading Smart creates an individualized learning path based on language acquisition. The suggested usage for EACS EL students is 30 - 60 minutes per week. The program supports ESL learning objectives, integrates reading, writing, listening, and speaking skills, and adjusts lessons to fit the needs of the students.

### ***Criteria for Reclassifying EL Students as Reclassified as Fluent English Proficient***

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

The following criteria are used in tandem to determine reclassification:

- *Well Developed* in overall performance and oral language performance with a minimum score of *Moderately Developed* in written language performance on the ELPAC summative assessment.
- Parent opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents’ opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process

- Teacher or assessment coordinator approval based on work product, performance in courses, or other relevant academic criteria
- Comparison of the pupil’s performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English

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

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

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

### **9) Plan for Special Education**

EACS understands that the Charter School has the obligation to serve students with exceptional needs and that the Charter School, pursuant to applicable state and federal law, must ensure that all of its students have access to a free and appropriate public education (“FAPE”) in the least restrictive environment (“LRE”). The Charter School shall comply 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 Education Improvement Act (“IDEA”).

EACS intends to be its own local educational agency (“LEA”) and will be applying to be a member of Sonoma County Charter Special Education Local Plan Area (“SELPA”) in accordance with Education Code Section 47641(a). Upon acceptance in a SELPA, the Charter School shall provide the District evidence of membership. As an LEA member of the SELPA, the Charter School shall receive state and federal revenues directly, in accordance with the SELPA’s allocation plan. A change in LEA status or SELPA membership shall not require a material revision of this charter.

In the event that the Charter School does not gain membership in a SELPA for its first year of operation, the Charter School shall by default be categorized as a “school of the District” for special education purposes pursuant to Education Code Section 47641(b) for the first year until it receives approval of LEA status.

The Charter School shall comply 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.

The Charter School may seek resources and services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability.

The Charter School may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

The Charter School shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by the Charter School shall be accessible for all students with disabilities.

EACS anticipates enrolling students with IEPs or enrolling students who may require testing for appropriate placement and possible services. EACS will work proactively and cooperatively with families, the teaching staff, and the District to adhere to state and federal mandates in servicing Special Education students including, but not limited to: testing; creating and updating IEPs; special services as provided by outside providers or by the District, etc. We will also ensure that:

- We employ admissions and enrollment practices that are non-discriminatory toward students with IEPs.
- Special needs students are under the guidance of and receive support from the Charter School's Special Education Case Managers.
- Special Education Case Managers ensure that the staff working with students with IEPs are trained in how to fulfill the requirements of the IEPs and in how to best academically support Special Education students in their classes.
- In working with Special Education students, our Charter School is the least restrictive environment and most appropriate placement for the student as dictated by law.
- EACS requests and obtains student's cumulative files and other documents in a timely fashion.
- EACS reviews student assessment data, including but not limited to state-mandated testing, to identify students who may be falling behind expectations in their academic progress and in need of additional support or services.

### **Services for Students under the IDEA**

*The following description regarding how special education and related services shall 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 shall be provided and funded shall be set forth in a Memorandum of Understanding ("MOU"), delineating the respective responsibilities of the Charter School and the SELPA. A copy of the MOU shall be presented to the District upon execution.*

The Charter School shall provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA.

The Charter School shall provide services for special education students enrolled in the Charter School. The Charter School shall follow 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 agrees to promptly respond to all District or SELPA inquiries, to comply with reasonable District or SELPA directives, and to allow the District or SELPA access to Charter School students, staff, facilities, equipment and records as required or imposed by law.

## **Staffing**

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

The Charter School shall 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. The Charter School shall ensure that all special education staff hired or contracted by the Charter School is qualified pursuant to SELPA policies, as well as meet all legal requirements. The Charter School 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.

## **Child Find**

EACS shall have the responsibility to identify, refer, and work cooperatively in locating students who have or may have exceptional needs that qualify them to receive special education services. EACS will implement 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.

EACS will follow SELPA 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.

Students possibly in need of special education will be screened from already available data (i.e., the local assessment, teacher observations, grades, etc.) regarding the student's progress or lack of progress within the general program. EACS shall follow the multi-tiered system of support to integrate academic behavioral instruction an integration provided to students in varying degrees based on need. Both staff and parents will be trained in this process to increase its effectiveness. If the process finds that the plan is not sufficient to meet the student's needs, it may refer a student for services through the provisions of a Section 504 Plan, if appropriate, or recommend that student for a formal special education assessment.

Special education and related services are provided at no cost to students.

## ***Referral and Assessment***

EACS students who are referred for special education testing after admission to the program will be tested using appropriate assessments by EACS special education case managers or properly credentialed contracted vendors. Students identified as qualifying for services will receive special education and/or related services under the terms of applicable special education law and as specified by the resulting Individualized Education Program. The services may or may not be supplied directly by EACS staff dependent on student needs, the terms of a Memorandum of Understanding (“MOU”) between EACS and the District if any, and /or the availability of services which may be provided by outside vendors. If this assessment identifies that the student has exceptional needs and requires special education and/or related services under the terms of applicable special education law, EACS will convene and conduct IEP team meetings.

### ***Assessments***

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The Charter School shall determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. The Charter School shall obtain parent/guardian consent to assess Charter School students.

### ***Individualized Education Programs and Service Delivery***

EACS plans and conducts the IEP team meetings and will designate staffing and other resources needed to implement the special education and related services called for by the IEP. Student progress toward the goals specified in the IEP are monitored regularly, and formally reviewed by the IEP team on at least an annual basis.

Each student’s IEP requires different kinds of accommodations and modifications for instruction and services; therefore, the educational strategies of the IEP will be built around the student’s needs. If a student’s IEP team determines that the student requires placement outside of a general education classroom, EACS will provide the necessary placement and/or services. The instruction outlined in each student’s IEP will be delivered by personnel qualified to do so.

### ***Interim and Initial Placements of New Charter School Students***

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the Charter School within the same academic year, the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the Charter School conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Charter School, and develops a new IEP, if appropriate that is consistent with federal and state law.

### ***Non-Public Placements/Non-Public Agencies***

The Charter School shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

### ***Non-Discrimination***

It is understood and agreed that all children shall 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.

### ***Due Process***

Concerns or disagreements raised by parents/guardians will be acknowledged by the Charter School within five days. EACS will work to arrange a meeting with the parents/guardians to seek resolution of the disagreement. If a disagreement or concern persists, parents or guardians have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child.

EACS acknowledges its responsibility to resolve disputes or defend due process complaints arising as a result of EACS's alleged failure to provide FAPE to students enrolled in the charter school. EACS may also initiate a due process hearing or request for mediation with respect to a student enrolled in EACS if it determines such action is legally necessary or advisable.

### ***SELPA Representation***

The Charter School understands that it shall represent itself at all SELPA meetings.

### ***Funding***

The Charter School understands that it shall be subject to the allocation plan of the SELPA.

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

EACS 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 EACS. EACS is committed to protecting all students from discrimination under state and federal law. EACS will ensure all students who

have a physical or mental impairment that substantially limits one or more major life activities, have a record of such an impairment, or are regarded as having such an impairment, are eligible for protections under Section 504 and the Americans with Disabilities Act. EACS will provide a free appropriate public education (“FAPE”) to those students through the creation and implementation of a Section 504 Plan. EACS shall be solely responsible for its compliance with Section 504 and the ADA. All facilities of EACS shall be accessible for all students with disabilities in accordance with the ADA.

The 504 Plan Process: A 504 team will be assembled by the Executive Director, as needed and will include the parent/guardian, the student (where appropriate), and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment.

The 504 team will review the student’s existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation will be carried out by the 504 team who will evaluate the nature of the student’s disability and the impact upon the student’s education.

This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team will consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered so as 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 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 IDEA, a referral for special education assessment 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 will be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a FAPE.

In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the EACS professional staff. The parents or guardians shall be invited to participate in 504 team meetings where program accommodations, modifications or services

for the student will be determined and they will be given an opportunity to examine in advance all relevant records. The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary. In considering the 504 Plan, a student with a disability requiring program modification shall be placed in the least restrictive environment, with students who are not disabled to the extent appropriate to the individual needs of the student with a disability.

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

## **10) Achievement of All Students**

We will improve the academic achievement of all students, including EL students, homeless and foster youth, ethnic subgroups, socioeconomically disadvantaged youth, and students with disabilities. This will be accomplished through effective instruction, a challenging and engaging curriculum and aligned assessments in language arts and mathematics. We will implement the following, as well as track data of the subgroups to ensure goals are being met:

1. Evaluate students' levels of academic performance based on local assessment results and provide targeted interventions such as: meeting with the guidance director and/or curriculum director, one-on-one and small group tutoring, access to the local assessment's targeted curriculum program, time management training with student/parent. Departments will collaborate to streamline the intervention process and to measure its effectiveness.
2. Monitor low-income students, homeless students, foster youth, EL students, ethnic subgroups, and students with disabilities for proficiency on state and local assessments to review student learner outcomes to ensure academic success or refer to the RTI, SST or IEP team.
3. Provide personalized access to materials and/or learning experiences that are aligned to the Common Core State Standards through multiple channels assisting students in completing standards aligned content:
  - Online courses, credit recovery, core programs
  - Supplemental curriculum and materials supporting common core standards
  - Extended school year
  - Digital curriculum aligned to the Common Core State Standards
  - Service vendors offering educational opportunities across geographical area
4. Provide professional development and ongoing trainings and discussions on the creation and use of rubrics and student academic achievement data to inform instruction and identifying effective targeted interventions for students struggling to meet grade level proficiency will be planned and provided.

5. Provide teacher training, learning opportunities, and workshops on a variety of topics; for example: testing, teaching students with disabilities, EL master plan, EL progress and reclassification, SDAIE strategies, literacy at home, foster and homeless youth, mental health strategies, social emotional training and Common Core State Standards.
6. Provide written notification to parents via parent newsletters, school website updates, and webinar trainings related to, for example, testing resources, EL progress and reclassification, strategies to assist EL students in the development of their English language proficiency, mental health strategies and resources, and community involvement and participation.
7. Ensure all students have opportunities for intensive CAASPP preparation, specifically low income, homeless, EL students, foster youth, and students with disabilities.
8. Develop a comprehensive college and career readiness program for middle and high school students that helps align student strengths and interests to post-secondary goals; increase Career Technical Education opportunities to prepare students for the 21st century workforce and global competencies. This program will be available and accessible to all student subgroups.

### **11) Charter School Goals and Actions to Achieve the Eight State Priorities**

Please see Element 2 of the charter for a reasonably comprehensive description of the Charter School's annual goals to be achieved in the Eight State Priorities, schoolwide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals, in accordance with Education Code Section 47605(b)(5)(A)(ii).

## ELEMENT 2: MEASURABLE STUDENT OUTCOMES

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

<b>ELEMENT B: MEASURABLE PUPIL OUTCOMES</b> <b>CHARTER SCHOOL GOALS, ACTIONS AND MEASURABLE OUTCOMES THAT ALIGN WITH</b> <b>THE EIGHT STATE PRIORITIES</b>
<p>Pursuant to Education Code Sections 47605(b)(5)(A)(ii) and 47605(b)(5)(B), the Charter School has established goals, actions, and measurable outcomes both schoolwide and for each subgroup of pupils, which address and align with the Eight State Priorities identified in Education Code Section 52060(d).</p> <p><b><u>Local Control and Accountability Plan</u></b></p> <p>In accordance with Education Code Section 47606.5, the Charter School shall comply with all elements of the Local Control and Accountability Plan (“LCAP”) pursuant to regulations and a template adopted by the California State Board of Education and reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter. The Charter School shall submit the LCAP to the District and the County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.</p> <p>The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement listed below, shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.</p>
<p><b><u>STATE PRIORITY #1— BASIC SERVICES</u></b></p> <p><i>The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</i></p>
<p><b>SUBPRIORITY A – TEACHERS APPROPRIATE</b> <b>TEACHER ASSIGNMENT</b></p>

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will hire and retain multiple subject and single subject, certificated TK-12 teachers to support our wide geographic region.
<b>ACTIONS TO</b>	The Charter School will: <ul style="list-style-type: none"> <li>- Recruit qualified applicants to fill positions</li> </ul>
<b>ACHIEVE GOAL</b>	- Human Resources will monitor credentials to ensure there is no lapse in active credentials for our teachers
<b>MEASURABLE OUTCOME</b>	All certificated teachers will hold a valid multiple subject or single subject teaching credential, as measured by “standard met” rating on California School Accountability Dashboard under Basics: Teachers, Instructional Materials, and Facilities.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>SUBPRIORITY B – INSTRUCTIONAL MATERIALS SUFFICIENT INSTRUCTIONAL MATERIALS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy School will identify and make available curriculum that is aligned to the Common Core State Standards (CCSS).
<b>ACTIONS TO ACHIEVE GOAL</b>	The design and implementation of curriculum is a critical component of the alignment of content and instruction to the CCSS, as well as development of multiple channels, pathways, and models assisting students in completing the standards aligned content. The Charter School will provide: <ul style="list-style-type: none"> <li>- Online courses, credit recovery, and core programs</li> <li>- Supplemental curriculum and materials supporting the CCSS</li> <li>- Extended school year</li> <li>- Service vendors offering educational opportunities across geographical areas</li> <li>- Digital curriculum aligned to the CCSS</li> </ul>
<b>MEASURABLE OUTCOME</b>	All students will have access to curriculum aligned to the CCSS, as measured by “standard met” rating on California School Accountability Dashboard under Basics: Teachers, Instructional Materials, and Facilities.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>SUBPRIORITY C – FACILITIES FACILITIES IN GOOD REPAIR</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will have 100% of school facilities in good repair in accordance with the Williams Act and receive a “standard met” on the California School Accountability Dashboard under Basic: Teacher, Instructional Materials, Facilities.

<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Maintain a school safety plan that includes a section on school facilities and is up to date with legal requirements</li> <li>- Train staff working at administrative office to follow the Charter School’s safety plan</li> <li>- Utilize checklists and calendars to ensure details of safety plan are properly integrated and done within correct timelines</li> </ul>
<p><b>MEASURABLE OUTCOME</b></p>	<p>Excel Academy Charter School will have 100% of school facilities in good repair in accordance with Williams Act and will receive a “standard met” on the California School Accountability Dashboard under Basic: Teacher, Instructional Materials, Facilities. Receiving the “standard met” shows that the Charter School is maintaining all school facilities, and they are in good repair.</p> <p>Excel Academy Charter School is an independent study program. Therefore, the administrative office is the only facility.</p>
<p><b>METHODS OF MEASUREMENT</b></p>	<p>California School Accountability Dashboard</p>
<p><b><u>STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS</u></b>  <i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</i></p>	
<p><b>SUBPRIORITY A – CCSS IMPLEMENTATION</b>  <b>HOW THE PROGRAM AND SERVICES WILL ENABLE STUDENTS TO ACCESS THE CCSS</b></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Excel Academy Charter School will identify and make available curriculum that is aligned to the CCSS, as well as provide trainings and resources to students, parents, and teachers on the CCSS.</p>

<p style="text-align: center;"><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The design and implementation of curriculum is a critical component of the alignments of content and instruction to the CCSS, as well as development of multiple channels, pathways, and models assisting students in completing the standards aligned content. The Charter School will provide:</p> <ul style="list-style-type: none"> <li>- Online courses, credit recovery, and core programs</li> <li>- Supplemental curriculum and materials supporting CCSS</li> <li>- Content design lessons</li> <li>- Extended school year</li> <li>- Service vendors offering educational opportunities across geographical areas</li> <li>- Digital curriculum aligned to CCSS</li> </ul> <p>The Charter School will also identify areas of need in terms of implementation of the CCSS based on student data and will provide trainings and resources to students, teachers, and parents to ensure proper implementation of the CCSS.</p>
<p style="text-align: center;"><b>MEASURABLE OUTCOME</b></p>	<p>All students will have access to curriculum aligned to the CCSS. All students, teachers, and parents will be trained and have resources focusing on the implementation of the CCSS, as measured by the “standard met” rating on California School Accountability Dashboard under Basics: Teachers, Instructional Materials, and Facilities.</p>
<p style="text-align: center;"><b>METHODS OF MEASUREMENT</b></p>	<p>California School Accountability Dashboard</p>
<p><b>SUBPRIORITY B – EL STUDENTS &amp; ACADEMIC CONTENT KNOWLEDGE HOW THE PROGRAMS AND SERVICES WILL ENABLE ENGLISH LEARNERS TO ACCESS THE</b></p>	

<b>CCSS</b>	
<p style="text-align: center;"><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Excel Academy Charter School will provide English Learner (EL) students with CCSS aligned core curriculum that is designed for the English Learner and aligned with ELD standards. The Charter School will also provide trainings and support in English language development teaching and learning strategies for the student, teacher, and parent. Additionally, the Charter School will also ensure English Learners have assigned teachers with proper credentials.</p>
<p style="text-align: center;"><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Maintain proper assignment of teachers</li> <li>- Provide CCSS EL curriculum to English Learners for core curriculum</li> <li>- Offer trainings for students, teachers, and parents focusing on teaching and learning strategies for our English Learners</li> </ul>
<p style="text-align: center;"><b>MEASURABLE OUTCOME</b></p>	<p>All English Learners have access to CCSS aligned curriculum with ELD standards.</p>

<b>METHODS OF MEASUREMENT</b>	All students were given access to curriculum as noted on English Learner Filet (ELF) cards and in alignment with the EL Master Plan.
<b>SUBPRIORITY C – EL STUDENTS &amp; ENGLISH LANGUAGE PROFICIENCY</b>	
<b>HOW THE PROGRAMS AND SERVICES WILL ENABLE ENGLISH LEARNERS TO ACCESS THE ELD STANDARDS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will provide English Learners with CCSS aligned core curriculum that is designed for the English Learner and aligned with ELD standards. The Charter School will also provide trainings and support in English language development teaching and learning strategies for the student, teacher, and parent. Additionally, the Charter School will also ensure English Learners have assigned teachers with proper credentials.
<b>ACTIONS TO ACHIEVE GOAL</b>	The Charter School will: <ul style="list-style-type: none"> <li>- Maintain proper assignment of teachers</li> <li>- Provide CCSS EL curriculum to English learners for core curriculum</li> <li>- Offer trainings for students, teachers, and parents focusing on teaching and learning strategies for our English learners</li> </ul>
<b>MEASURABLE OUTCOME</b>	All English learners have access to CCSS aligned curriculum with ELD standards.
<b>METHODS OF MEASUREMENT</b>	All students were given access to curriculum as noted on English Learner File (ELF) cards and in alignment with the EL Master Plan.
<b>STATE PRIORITY #3— PARENTAL INVOLVEMENT</b>	
<i>Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation</i>	
<b>SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT</b>	
<b>EFFORTS THE SCHOOL MAKES TO SEEK PARENT INPUT IN MAKING DECISIONS FOR THE</b>	
<b>SCHOOL</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will clearly involve parents and community members in decision-making at the school level. The Charter School will provide connections between the community and the Charter School so as to foster investment in education and provide meaningful transparent communication with all stakeholders.
<b>ACTIONS TO ACHIEVE GOAL</b>	The Charter School will: <ul style="list-style-type: none"> <li>- Provide trainings, learning opportunities, and workshops that focus on school plans and goals, such as LCAP and WASC</li> <li>- Seek parent and community input in LCAP and WASC process through surveys and public meetings</li> <li>- Create and maintain a Parent Advisory Council for input on school policies and procedures</li> </ul>

<b>MEASURABLE OUTCOME</b>	<p>Success will be measured through:</p> <ul style="list-style-type: none"> <li>- The successful creation and maintenance of an active Parent Advisory Council</li> <li>- Parent LCAP survey question, “I feel my child's school demonstrates good effort in providing opportunities for involvement and input” will receive a score of 90% or higher for the answer “yes”.</li> <li>- End of year parent survey will have a completion rate of 15% of our parents.</li> <li>- Vendor (community) survey will be sent annually</li> </ul>
<b>METHODS OF MEASUREMENT</b>	Parent Advisory Council meetings/agendas, Parent LCAP Survey, End of Year Parent Survey
<p><b>SUBPRIORITY B – PROMOTING PARENT PARTICIPATION</b></p> <p><b>HOW THE SCHOOL WILL PROMOTE PARENTAL PARTICIPATION IN PROGRAMS FOR: ECONOMICALLY DISADVANTAGED PUPILS, ENGLISH LEARNERS, FOSTER YOUTH, INDIVIDUALS WITH EXCEPTIONAL NEEDS</b></p>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will provide connections between the community and school so as to foster investment in education and provide meaningful transparent communication with all stakeholders, including parents of students who are economically disadvantaged pupils, English Learners, foster youth, or have exceptional needs.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Provide parent trainings, learning opportunities, and/or workshops focusing on topics specific to the stated subgroups</li> <li>- Gather feedback on all aspects of their child’s education through surveys</li> <li>- Ensure parent and community opportunities for connectedness through emails, website, and social media</li> <li>- Translation will be provided as needed and when possible</li> </ul>
<b>MEASURABLE OUTCOME</b>	<ul style="list-style-type: none"> <li>- Parent LCAP Survey questions pertaining to LCAP Goal 3: “We will establish connections and partnerships with our families and community to increase engagement, involvement, ensure safety and satisfaction to support student learning and</li> </ul>
	<p>achievement,” will show 90% of our parents feel engaged, involved, safe, and satisfied with the support of the Charter School.</p> <ul style="list-style-type: none"> <li>- End of Year Parent Survey will have a completion rate of 15% of our parent population.</li> </ul>
<b>METHODS OF MEASUREMENT</b>	Parent LCAP Survey, Parent End of Year Survey

**STATE PRIORITY #4— STUDENT ACHIEVEMENT**

*Pupil achievement, as measured by all of the following, as applicable:*

- A. *California Assessment of Student Performance and Progress (CAASPP) statewide assessment*
- B. *Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education*
- C. *Percentage of ELs who make progress toward English language proficiency as measured by the English Language Proficiency Assessment for California (ELPAC)*
- D. *EL reclassification rate*
- E. *Percentage of pupils who have passed an AP exam with a score of 3 or higher*
- F. *Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness*

**SUBPRIORITY A – CAASPP**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will gather baseline data based on the 2019-2020 CAASPP results. For the subsequent years, The Charter School will work to meet or exceed student performance data in both ELA and Math by 2% each year.
<b>ACTIONS TO ACHIEVE GOAL</b>	Evaluate student’s levels of academic performance based on state assessment results. Conduct formal and informal assessments throughout the year, including, but not limited to: <ul style="list-style-type: none"> <li>- End of course assessments</li> <li>- Placement assessments</li> <li>- Intervention assessments</li> <li>- Diagnostic assessments</li> <li>- Progress monitoring assessments</li> <li>- Interim assessments aligned to the CCSS</li> <li>- Local school-wide assessments</li> </ul>
<b>MEASURABLE OUTCOME</b>	CAASPP assessment results will increase 2% in ELA and math after baseline data established.
<b>METHODS OF MEASUREMENT</b>	CAASPP assessment results

**SUBPRIORITY B – CALIFORNIA SCHOOL DASHBOARD**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will receive rating colors of orange, yellow, green, or blue or standard met on all state and local indicators for baseline year. In subsequent years, The Charter School will identify
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	which indicators are areas of need and address those areas to improve the rating and student achievement.
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<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Monitor all state and local indicators to ensure higher level of color rating on the dashboard.</li> <li>- Disaggregate data to develop action plans for any areas of need</li> <li>- Provide additional resources and supports to any area of need</li> </ul>
<b>MEASURABLE OUTCOME</b>	Excel Academy Charter School will receive rating colors of orange, yellow, green, or blue or standard met on all state and local indicators for baseline year.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>SUBPRIORITY C – UC/CSU COURSE REQUIREMENTS (OR CTE)</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will establish baseline data of college and career readiness at the conclusion of the 19-20 school year. In subsequent years, The Charter School will increase 2% annually in number of students that are college and career ready.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Ensure that students are on-track to graduate from high school and have access to College and Career Technical Education.</li> <li>- Develop a comprehensive college and career readiness program for middle and high school students that helps align student strengths and interests to post-secondary goals</li> <li>- Continue to increase Career Technical Education opportunities to prepare students for the 21st century workforce and global competencies. CTE pathways</li> <li>- Analyze and monitor student progress toward college and career preparedness</li> <li>- Analyze student data to determine needs</li> <li>- Continue to increase the number of single subject teachers on staff</li> </ul>
<b>MEASURABLE OUTCOME</b>	California School Dashboard showing an increase of 2% after the baseline year.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>SUBPRIORITY D – EL PROFICIENCY RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will use the ELPAC results for the 19-20 school year as a baseline. In subsequent years, the students will increase their overall ELPAC score by 50 points until reaching proficient and getting reclassified.

<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Provide EL curriculum, instruction, and support strategies</li> <li>- Track English progress on English Learner File (ELF) cards, as stated in EL Master Plan</li> </ul>
	- Follow the EL Master Plan to ensure proper support for English Learners
<b>MEASURABLE OUTCOME</b>	Excel Academy Charter School will use the ELPAC results for the 19-20 school year as a baseline. In subsequent years the students will increase their overall ELPAC score by 50 points until reaching proficient and getting reclassified.
<b>METHODS OF MEASUREMENT</b>	ELPAC overall scores
<b>SUBPRIORITY E – EL RECLASSIFICATION RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will use the ELPAC results for the 19-20 school year as a baseline. In subsequent years, the number of students being reclassified will increase by 20% annually, as aligned with the state average increase.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Provide EL curriculum, instruction, and support strategies</li> <li>- Track English progress on ELF cards, as stated in EL Master Plan</li> <li>- Follow the EL Master Plan to ensure proper support for English Learners</li> </ul>
<b>MEASURABLE OUTCOME</b>	Excel Academy Charter School will use the ELPAC results for the 19-20 school year as a baseline. In subsequent years, the number of students being reclassified will increase 20% annually, as aligned with the state average increase.
<b>METHODS OF MEASUREMENT</b>	ELPAC overall scores
<b>SUBPRIORITY F – AP EXAM PASSAGE RATE</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will increase the AP passing rate of our students by 2% after initial baseline year.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Cover the cost of AP exams for economically disadvantaged students</li> <li>- Provide online test preparation resources</li> <li>- Guide students through the registration process</li> <li>- Announce AP exams opportunities and available courses throughout the year</li> </ul>

<b>MEASURABLE OUTCOME</b>	The Charter School will use data from the 19-20 school year to determine the baseline. In subsequent years, the AP passing rate of our students will increase 2% annually.
<b>METHODS OF MEASUREMENT</b>	College Board reports
<b>SUBPRIORITY G – COLLEGE PREPAREDNESS/EAP</b>	
<b>GOAL TO ACHIEVE</b>	Excel Academy Charter School will increase the EAP passing rate of our

<b>SUBPRIORITY</b>	students by 2% after the initial baseline year.
<b>ACTIONS TO ACHIEVE GOAL</b>	The Charter School will: <ul style="list-style-type: none"> <li>- Provide test preparation materials for EAP</li> <li>- Ensure students are in course that align in rigor and content with the EAP</li> </ul>
<b>MEASURABLE OUTCOME</b>	The Charter School will use data from the 19-20 school year to determine baseline. In subsequent years, the EAP passing rate of our students will increase 2% annually.
<b>METHODS OF MEASUREMENT</b>	CAASPP/EAP data

**STATE PRIORITY #5— STUDENT ENGAGEMENT**

*Pupil engagement, as measured by all of the following, as applicable:*

- A. School attendance rates*
- B. Chronic absenteeism rates*
- C. Middle school dropout rates (EC §52052.1(a)(3))*
- D. High school dropout rates*
- E. High school graduation rates*

**SUBPRIORITY A – STUDENT ATTENDANCE RATES**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will maintain a high rate of ADA at 95% or higher or increase ADA by 2% each school year until reaching 95% or above. The Charter School will establish a baseline data at the completion of the first school year.
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<p style="text-align: center;"><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Offer credit recovery options</li> <li>- Offer graduation support with tutoring, counseling, and additional supports.</li> <li>- Prepare for an intersession option for student to make up missed credits</li> </ul> <p>Student attendance is directly related to student success. Here are the steps we will take to improve student support and attendance:</p> <ul style="list-style-type: none"> <li>- Parent notification of students not completing assignments</li> <li>- Accountability plan completed by a credentialed teacher</li> <li>- Response to Intervention set up for students who are not meeting the requirements of the independent study contract and are not achieving</li> <li>- Removal from the voluntary independent study program may be suggested</li> <li>- Educate parents on online course student completion, grading, and evaluation.</li> </ul>
<p style="text-align: center;"><b>MEASURABLE OUTCOME</b></p>	<p>The Charter School will have a high rate of ADA at 95% or higher or increase ADA by 2% each school year until reaching 95% or above. The Charter School will establish baseline data at the completion of the first school year.</p>
<p style="text-align: center;"><b>METHODS OF</b></p>	<p>ADA as reported in CALPADS and the California School Dashboard.</p>

<p style="text-align: center;"><b>MEASUREMENT</b></p>	
<p><b>SUBPRIORITY B – STUDENT ABSENTEEISM RATES</b></p>	
<p style="text-align: center;"><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Excel Academy Charter School will maintain a high rate of ADA at 95% or higher or increase ADA by 2% each school year until reaching 95% or above. The Charter School will establish a baseline data at the completion of the first school year.</p>

<p style="text-align: center;"><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Offer credit recovery options</li> <li>- Offer graduation support with tutoring, counseling, and additional supports</li> <li>- Prepare for an intersession option for students to make up missed credits</li> </ul> <p>Student attendance is directly related to student success. Here are the steps we will take to improve student support and attendance:</p> <ul style="list-style-type: none"> <li>- Parent notification of students not completing assignments</li> <li>- Accountability plan completed by a credentialed teacher</li> <li>- Response to Intervention set up for students who are not meeting the requirements of the independent study contract and are not achieving</li> <li>- Removal from the voluntary independent study program may be suggested</li> <li>- Educate parents on online course student completion, grading, and evaluation.</li> </ul>
<p style="text-align: center;"><b>MEASURABLE OUTCOME</b></p>	<p>The Charter School will have a high rate of ADA at 95% or higher or increase ADA by 2% each school year until reaching 95% or above. The Charter School will establish a baseline data at the completion of the first school year.</p>
<p style="text-align: center;"><b>METHODS OF MEASUREMENT</b></p>	<p>ADA as reported in CALPADS and the California School Dashboard.</p>
<p><b>SUBPRIORITY C – MIDDLE SCHOOL DROPOUT RATES</b></p>	
<p style="text-align: center;"><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Excel Academy Charter School will use data from the 19-20 school year to determine a baseline. In the subsequent years, the student dropout rate will decrease by 2% annually if the rate is higher than 1%.</p>
<p style="text-align: center;"><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Establish paths of credit recovery</li> <li>- Review school graduation requirements and, at the discretion of the guidance department, adjust requirements as long as state requirements are met</li> <li>- Closely monitor student progress</li> <li>- Continue open lines of communication</li> <li>- Maintain early identification of at-risk students</li> </ul>
<p style="text-align: center;"><b>MEASURABLE OUTCOME</b></p>	<p>Excel Academy Charter School will use data from the 19-20 school year to determine a baseline. In the subsequent years, the student dropout rate will decrease by 2% annually if the rate is higher than 1%.</p>
<p style="text-align: center;"><b>METHODS OF MEASUREMENT</b></p>	<p>Dropout rate as determined by CALPADS reporting.</p>

<b>SUBPRIORITY D – HIGH SCHOOL DROPOUT RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will use data from the 19-20 school year to determine a baseline. In the subsequent years, the student dropout rate will decrease by 2% annually if the rate is higher than 1%.
<b>ACTIONS TO ACHIEVE GOAL</b>	The Charter School will: <ul style="list-style-type: none"> <li>- Establish paths of credit recovery</li> <li>- Review school graduation requirements and at the discretion of the guidance department, adjust requirements as long as state requirements are met</li> <li>- Closely monitor student progress</li> <li>- Continue open lines of communication</li> <li>- Maintain early identification of at-risk students</li> </ul>
<b>MEASURABLE OUTCOME</b>	Excel Academy Charter School will use data from the 19-20 school year to determine a baseline. In the subsequent years, the student dropout rate will decrease by 2% annually if the rate is higher than 1%.
<b>METHODS OF MEASUREMENT</b>	Dropout rate as determined by CALPADS reporting.
<b>SUBPRIORITY E – HIGH SCHOOL GRADUATION RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will establish baseline data at the completion of the first school year. In subsequent years, The Charter School will increase graduation rates by 2% each year until we reach a 95% graduation rate.
<b>ACTIONS TO ACHIEVE GOAL</b>	The Charter School will: <ul style="list-style-type: none"> <li>- Offer credit recovery options</li> <li>- Offer graduation support with tutoring, counseling, and additional supports</li> <li>- Prepare for an intersession option for students to make up missed credits</li> </ul> <p>Student attendance is directly related to student success. Here are the steps we will take to improve student support and attendance:</p> <ul style="list-style-type: none"> <li>- Parent notification of students not completing assignments</li> <li>- Accountability plan completed by a credentialed teacher</li> <li>- Response to Intervention set up for students who are not meeting the requirements of the independent study contract and are not achieving</li> <li>- Removal from the voluntary independent study program may be suggested</li> <li>- Educate parents on online course student completion, grading, and evaluation.</li> </ul>

<b>MEASURABLE OUTCOME</b>	Excel Academy Charter School will establish baseline data at the completion of the first school year. In subsequent years, The Charter School will increase graduation rates by 2% each year.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>STATE PRIORITY #6— SCHOOL CLIMATE</b>	
<i>School climate, as measured by all of the following, as applicable:</i>	
<i>A. Pupil suspension rates B. Pupil expulsion rates C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</i>	
<b>SUBPRIORITY A – PUPIL SUSPENSION RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Establish and maintain less than a 1% suspension rate.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>Student attendance/behavior is directly related to student success. Here are the steps we will take to improve student support and attendance:</p> <ul style="list-style-type: none"> <li>- Parent notification of student not completing assignments</li> <li>- Accountability plan completed by a credentialed teacher</li> <li>- Response to Intervention set up for student who are not meeting the requirements of the independent study contract and are not achieving</li> <li>- Removal from the voluntary independent study program may be suggested</li> <li>- Educate parents on online course student completion, grading, and evaluation</li> </ul>
<b>MEASURABLE OUTCOME</b>	The Charter School will have less than a 1% suspension rate.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>SUBPRIORITY B – PUPIL EXPULSION RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Establish and maintain less than a 1% expulsion rate.

<b>ACTIONS TO ACHIEVE GOAL</b>	<p>Student attendance/behavior is directly related to student success. Here are the steps we will take to improve student support and attendance:</p> <ul style="list-style-type: none"> <li>- Parent notification of student not completing assignments</li> <li>- Accountability plan completed by a credentialed teacher</li> <li>- Response to Intervention set up for student who are not meeting the requirements of the independent study contract and are not achieving</li> <li>- Removal from the voluntary independent study program may be suggested</li> <li>- Educate parents on online course student completion, grading, and evaluation</li> </ul>
<b>MEASURABLE OUTCOME</b>	The Charter School will have less than a 1% expulsion rate.

<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard
<b>SUBPRIORITY C – OTHER SCHOOL SAFETY AND SCHOOL CONNECTEDNESS MEASURES (SURVEYS)</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School will show an overall positive rating of 90% or higher in school safety and connectedness in the following surveys: LCAP Parent Survey, LCAP Teacher Survey, LCAP Student Survey, Teacher End of the Year Survey, Parent End of the Year Survey
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will:</p> <ul style="list-style-type: none"> <li>- Send out the above surveys each year</li> <li>- Encourage participation in the surveys through email, website, and social media</li> <li>- Monitor and review survey data</li> </ul>
<b>MEASURABLE OUTCOME</b>	The Charter School will receive an overall positive rating of 90% or higher in school safety and connectedness on the following surveys: LCAP Parent Survey, LCAP Teacher Survey, LCAP Student Survey, Teacher End of the Year Survey, Parent End of the Year Survey
<b>METHODS OF MEASUREMENT</b>	LCAP Parent Survey, LCAP Teacher Survey, LCAP Student Survey, Teacher End of the Year Survey, Parent End of the Year Survey

**STATE PRIORITY #7— COURSE ACCESS**

*The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.*

*“Broad course of study” includes the following, as applicable: Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210) Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))*

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Excel Academy Charter School students will have access to a broad course of study including all courses as stated above, as well as programs and services developed and provided to unduplicated students.
<b>ACTIONS TO ACHIEVE GOAL</b>	The Charter School will: <ul style="list-style-type: none"><li>- Monitor and review curriculum/vendor options to ensure that a wide variety of course options are offered, as well as on multiple platforms to best meet various learning styles.</li><li>- Continually update a-g list to offer a variety of a-g courses</li><li>- Create personalized 4-year high school plans for our students to ensure that CTE/college/graduation requirements are met, while still being able to appeal to the students’ interests.</li><li>- Review reports cards and transcripts continuously throughout the year</li><li>- Monitor student progress regularly</li><li>- Design personalized courses of study for each student</li></ul>
	<ul style="list-style-type: none"><li>- Ensure students have access to co-curricular and extracurricular opportunities including career based field trips, student council, National Honor Society, and college tours.</li><li>- Ensure students have instructional funds that can be used to access courses and curriculum through approved vendors.</li></ul>
<b>MEASURABLE OUTCOME</b>	The Charter School will show a “standard met” rating on the California School Dashboard under “Access to a Broad Course of Study”.
<b>METHODS OF MEASUREMENT</b>	California School Accountability Dashboard

**STATE PRIORITY #8—OTHER STUDENT OUTCOMES**

*Pupil outcomes, if available, in the subject areas described above in #7, as applicable.*

**SUBPRIORITY A – ENGLISH**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<p>Grades K-8: Students will need to complete an age-appropriate amount of standards-aligned English language arts learning conducive to the amount of 70% positive attendance being claimed for the student.</p> <p>Grades 9-12: Students must complete 40 units/four years of English language arts to graduate from high school.</p>
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
<b>MEASURABLE OUTCOME</b>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p> <p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. In subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their four-year cohort, with the required courses completed.</p>
<b>METHODS OF MEASUREMENT</b>	Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard
<b>SUBPRIORITY B – MATHEMATICS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Grades K-8: Students will need to complete an age-appropriate amount of standards-aligned English language arts learning conducive to the amount of 70% positive attendance being claimed for the student.
	Grades 9-12: Students must complete 30 units/three years of mathematics to graduate from high school. Algebra 1 or Integrated Math 1 is mandatory and the additional 20 units of math must be equal to or greater in rigor than Algebra 1 or Integrated Math 1.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>

<b>MEASURABLE OUTCOME</b>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p> <p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.</p>
<b>METHODS OF MEASUREMENT</b>	Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard
<b>SUBPRIORITY C – SOCIAL SCIENCES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<p>Grades K-8: Students will need to complete an age-appropriate amount of standards-aligned English language arts learning conducive to the amount of 70% positive attendance being claimed for the student.</p> <p>Grades 9-12: Students must complete 30 credits/three years of social sciences in order to graduate from high school. Courses include: World History, US History, Government, and Economics.</p>
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
<b>MEASURABLE OUTCOME</b>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p>
	<p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.</p>

<b>METHODS OF MEASUREMENT</b>	Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard
<b>SUBPRIORITY D – SCIENCE</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<p>Grades K-8: Students will need to complete an age-appropriate amount of standards-aligned English language arts learning conducive to the amount of 70% positive attendance being claimed for the student.</p> <p>Grades 9-12: Students must complete 20 units/2 years of science in order to graduate from high school. The student must complete 10 units/1 year in a physical science or Integrated Science I and 10 units/1 year in a life science or Integrated Science II.</p>
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
<b>MEASURABLE OUTCOME</b>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p> <p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.</p>
<b>METHODS OF MEASUREMENT</b>	Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard
<b>SUBPRIORITY E – VISUAL AND PERFORMING ARTS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<p>Grades K-8: Not applicable</p> <p>Grades 9-12: In lieu of a foreign language or CTE, students must complete 10 units/1 year of visual and performing arts in order to graduate from high school.</p>

<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
<p><b>MEASURABLE OUTCOME</b></p>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p> <p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.</p>
<p><b>METHODS OF MEASUREMENT</b></p>	<p>Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard</p>
<p><b>SUBPRIORITY F – PHYSICAL EDUCATION</b></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Grades K-8: Students will need to complete 100 minutes of physical education learning and activity every 10 school days, which aligns to the amount of attendance being claimed for the student.</p> <p>Grades 9-12: Student must complete 20 credits/two years of physical education in order to graduate from high school. Physical education is deemed as 400 minutes of learning/activity every 10 school days.</p>
<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>

<p><b>MEASURABLE OUTCOME</b></p>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p> <p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation</p>
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	<p>requirements on time, per their 4-year cohort, with the required courses completed.</p>
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<p><b>METHODS OF MEASUREMENT</b></p>	<p>Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard</p>
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**SUBPRIORITY G – HEALTH (GRADES 1-6 ONLY)**

<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Grades K-6: Not applicable</p> <p>Grades 7-8: Students will participate in health at least one time during 7th or 8th grade as defined by the California Healthy Youth Act. Students will need to complete an appropriate amount of standards aligned health learning conducive to the amount of attendance being claimed for the student. The health learning can be embedded into their physical education learning.</p> <p>Grades 9-12: Students will participate in health at least one time during 9th- 12th grade as defined by the California Healthy Youth Act.</p>
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<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
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<b>MEASURABLE OUTCOME</b>	<p>The amount of work being completed directly corresponds to attendance claimed. Therefore, chronic absenteeism will be used to measure success.</p> <p>The chronic absenteeism indicator will receive a color rating of blue on the California School Accountability Dashboard.</p> <p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.</p>
<b>METHODS OF MEASUREMENT</b>	Chronic absenteeism and graduation rate as determined by the California School Accountability Dashboard
<b>SUBPRIORITY H – FOREIGN LANGUAGES (GRADES 7-12 ONLY)</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<p>Grades 7-8: Not applicable</p> <p>Grades 9-12: In lieu of a visual and performing arts or CTE, students must complete 10 units/1 year of a foreign language in order to graduate from high school.</p>
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
<b>MEASURABLE OUTCOME</b>	The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.
<b>METHODS OF MEASUREMENT</b>	Graduation rate as determined by the California School Accountability Dashboard
<b>SUBPRIORITY I – APPLIED ARTS (GRADES 7-12 ONLY) “NOT APPLICABLE”</b>	
<b>SUBPRIORITY J – CTE (GRADES 7-12 ONLY)</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<p>Grades 7-8: Not applicable</p> <p>Grades 9-12: In lieu of a foreign language or visual and performing arts, students must complete 10 units/1 year of visual and performing arts in order to graduate from high school.</p>

<p style="text-align: center;"><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>The Charter School will ensure course/learning completion through:</p> <ul style="list-style-type: none"> <li>- Course pacing</li> <li>- Pre-planning and assigning of course work</li> <li>- Creating yearly and 4-year course plans</li> <li>- Creating graduation plans for high school students</li> <li>- Monthly monitoring at learning period meetings</li> </ul>
<p style="text-align: center;"><b>MEASURABLE OUTCOME</b></p>	<p>The Charter School will use the 19-20 school year graduation rate to gather baseline data. The subsequent years, the grade rate will increase 2% annually. This shows that students are completing graduation requirements on time, per their 4-year cohort, with the required courses completed.</p>
<p style="text-align: center;"><b>METHODS OF MEASUREMENT</b></p>	<p>Graduation rate as determined by the California School Accountability Dashboard</p>

### ***Schoolwide Goals***

To meet the demands of the 21<sup>st</sup> century, EACS students will be:

#### **Creative and Complex Thinkers**

1. Students will propose, evaluate, and use a variety of strategies, tools, and skills to produce solutions.
2. Students will demonstrate the ability to recognize and analyze problems from multiple perspectives, including real-world situations.
3. Students will exhibit intellectual courage by advocating for their own learning, seeking help when needed, and persevering when challenged.

#### **Effective Communicators**

1. Students will be able to actively engage in a variety of topics through polite and respectful ToR conversations.
2. Students will exhibit articulate, effective, and persuasive communication orally, visually, and in writing to a diverse range of audiences, using a variety of methods.
3. Students will engage in cooperative relationships with teachers and peers.
4. Students will use technology in various forms to effectively communicate and demonstrate knowledge.

#### **Community/Global Participants**

1. Students will be prepared to meet the demands of college or career; demonstrating various skills in seeking employment and/or college admission.
2. Students will show respect for self and others, celebrate cultural diversity and make positive contributions to their community (e.g. register to vote, care for environment, volunteer).

#### **Empowered and Independent Learners**

1. Students will be self-directed, self-disciplined, self-monitored, and demonstrate self corrective thinking.
2. Students will be curious, inquisitive thinkers, dedicated to lifelong learning.

3. Students will plan and study effectively and efficiently, using time management skills.
4. Students will actively participate in the creation and pursuit of personal, academic, and professional goals.

EACS's schoolwide goals aim to promote real world application of academic instruction and content to bring curriculum to life for our students. Students are encouraged to think critically about subject matter and how it might relate to a larger community as well as global issues facing our world today. By nature of our independent study program and through the support of our fully credentialed teachers and staff, students quickly learn to self-monitor and set goals to accomplish the various tasks assigned in their courses. Combined with the robust curriculum offerings, EACS encourages the pursuit of academic achievement by supporting the growth of all students to become creative and complex thinkers, effective communicators, community/global citizens, and empowered, independent thinkers. These goals are measured through local and state assessments, informal assessments at learning period meetings, parent/student/teacher survey responses, and informal observations.

### ***High School Graduation Requirements***

EACS's graduation requirements emphasize the traditional university preparatory courses of English, mathematics, science, social science, foreign language, and art; however, these courses will be provided in a manner that challenges each student to think beyond the subject matter that is being presented and continually place new information in the context of their own knowledge base. EACS's graduation requirements meet California Education Code requirements for students in traditional public schools. The curriculum, once approved as a-g qualifying (as described earlier) will meet or exceed UC/Cal State A-G course requirements.

EACS will configure its minimum course completion requirements and its credit award policy so as to fulfill the high school graduation requirements applicable for students in traditional public schools. The Charter School will require completion of the following, at a minimum:

- Four year-long courses in English (English I, II, III, IV)
- Two year-long courses in mathematics - Algebra 1 or higher in one course
- Two year-long courses in science with lab - one course in life science, one in a physical science
- Three year-long courses in social studies (including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics, and a one-semester course in economics)
- One year-long course in visual or performing arts or foreign language \*\*
- Two year-long courses in physical education
- Sixteen 5 unit courses of elective credits

\*\* Students will be advised that for UC entrance, three years of mathematics, two years of foreign language are required/ three recommended, plus one year of visual and performing arts.

### ***Credit and Graduation Requirements***

EACS awards five credits per course, per semester. 220 credits are required to graduate. Students are eligible for a diploma when all requirements have been met.

## **ELEMENT 3: METHODS OF MEASURING PUPIL OUTCOMES**

*Governing Law: The method by which pupil progress in meeting those pupil outcomes is measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. – California Education Code Section 47605(b)(5)(C)*

### **1) Methods of Assessment**

EACS, like other charter and non-charter public schools, will adhere to the tenets of the state accountability system. Using data from the statewide assessments and local assessments, EACS will discern which numerically significant subgroups are not achieving growth target goals. Students identified as needing support to achieve proficient or advanced levels of achievement on assessments will receive additional individualized assistance, and, where appropriate, tutoring, remedial instruction, and other intensive interventions. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

Academic performance is assessed through graded lesson assignments, unit and module assignments, unit tests, course final exams, teacher observation, and annual statewide testing to include grade-specific CAASPP and California Science Test for all students. Annual ELPAC assessments will be reviewed for designated EL students, and annual progress towards IEP goals will be analyzed and updated for SPED students.

#### ***Repeating a Course***

Courses that may be repeated for credit will be listed in the course description (e.g. PE). Courses in which grades of a D/F are earned may be repeated. The highest grade will be used in the GPA calculation. UC only allows a course to be repeated one time for grade replacement.

#### ***Transfer Credits***

Transfer credits are awarded on a case-by-case basis. Official transcripts are required in order to award credit. Transcript analysis may require research and contact with previous institutions to determine eligibility of transfer credits. International records may require translation and/or evaluation prior to being considered for transfer credits.

#### ***Transcripts***

Official transcripts should be requested from the registrar at least two weeks prior to deadlines.

#### ***Grade Level***

Students in K-12 are assigned a grade level based on the year of their birth. Regardless of credit deficiency, students will be promoted to the next grade and given an opportunity to remediate

credits in hopes that the student will graduate with his or her cohort. In the event that a student does not graduate with their cohort, EACS will provide the student with an opportunity to continue their education, as long as they are continuously enrolled in public school and making satisfactory progress towards a diploma, per Education Code Section 47612(b).

### ***Standardized and Local Assessments***

EACS has a highly effective assessment process that regularly evaluates student performance data to ensure that students are meeting or exceeding state academic standards. Students in all programs are assessed using multiple measures including standardized state testing (including ELPAC, CAASPP, CAST, and PFT), i-Ready benchmark assessments in reading and mathematics, work samples that include tests, quizzes, portfolios, projects, written expression, and monthly LP meetings.

### **Standardized State Testing (CAASPP, CAST, ELPAC, PFT)**

All students enrolled in EACS are expected to attend mandatory state testing as appropriate for the grade level which include the ELPAC, CAASPP, CAST, and PFT. CAASPP Smarter Balanced ELA and Math assessments are administered to grades 3-8 and 11. The CAST Science assessment is administered to students in grades 5 and 8, and high school grade levels determined by the state. The PFT is administered to students in grades 5, 7, and 9. The ELPAC initial assessment is administered to all students in grades K-12 whose primary language is not English as indicated by the Home Language Survey for initial identification of students as English Learners within the first thirty days of enrollment. EL students are given the ELPAC summative assessment every Spring, until they are RFEP.

### **Local Benchmark Assessments**

Each year, students will be administered a local assessment called i-Ready, a diagnostic adaptable test in reading and math. All second through eleventh grade students are required to take the local assessment (K-1 upon request or recommendation). i-Ready provides data-driven insight that parents, teachers and administrators need to determine exactly where to focus instruction to ensure all students are on track to meet rigorous academic expectations and to succeed on state assessments. Parents are provided a student profile which is a detailed developmental analysis of the student's overall placement across grade levels and acts as a helpful tool for instruction. The State Standards-based data provided by i-Ready is necessary for meeting state and charter needs. Students who complete the benchmark assessments are automatically provided individualized lessons focusing on gaps in learning and areas of concern within the reading and math domains.

### **Kindergarten and First Grade Benchmark Assessments in Reading and Math**

At Excel Academy, students in grades kindergarten and first grade are administered paper pencil benchmark assessments in September and March. The results are shared with the parents and students by the ToR and goals are set to continue to promote growth and success.

### **Final Examinations - Middle School and High School Students**

Middle school and high school students enrolled in EACS taking specific online courses are responsible for taking final exams that are monitored and proctored by approved staff to ensure that all assessments are taken properly.

## **Learning Period Meetings**

LP meetings are an important component of the plan to assess student progress. LP meetings are a time when the ToR spends one-on-one time interacting with the student and reviewing the student's body of work. During this meeting, the ToR documents student progress toward the measurable pupil goals and indicates the standards in which the student made progress. This progress is documented in the SIS. Also during this meeting, the teacher collects work samples which are used as authentic evidence of the student's abilities and progress. These samples are uploaded and stored within the SIS. The teacher also ensures that an appropriate amount of progress was made by the student for the number of days the student was awarded attendance and supports the parent in planning out the next learning period's assignments.

ToRs check in with families after the LP meetings to recap the discussions and information presented at the meeting. In addition, ToRs reach out to their students and parents weekly to see how they are doing based on discussions and goals set at each LP meeting. Students who are taking online high school classes are closely monitored by their ToRs.

ToRs refer to the high school rubrics that have been created to evaluate each student's high school work. ToRs work closely with the students and parents to make sure work is differentiated, and to ensure they are seeing different types of work samples at each LP meeting. The pacing guides that have been created are a valuable tool for ToRs, students, and parents to utilize as needed to help monitor progress and help students stay on task.

## **Work Samples (Daily Assignments, Tests, Quizzes), Portfolios, and Projects**

EACS encourages students to show mastery of standards and content through quantitative and qualitative measures. In addition to analysis of tests and quizzes, student work product is a basis for formative assessment. While EACS frequently uses quizzes and tests to express achievement, work samples, electronic student portfolios, and projects allow students to explore content in a deeper, richer context. All work samples, portfolios, and projects that are collected at monthly LP meetings are expected to be high quality, and include student's original work and writing.

The i-Ready lessons provided are aligned to the State Standards and meet grade level expectations. The results from the assessments and lessons assist the ToR and parents in providing additional support, curriculum, and resources to help students continue to progress. ToRs have the ability to adjust and modify lessons to fit the needs of their students. When ToRs see that students need additional support in specific domains, they have the ability to pull lessons to present to the students and parents. The i-Ready Reading and Math Tools for Instruction include detailed teaching instructions, lessons, and activities or graphic organizers for parents and students to utilize.

High school students complete weekly/monthly quizzes, tests, and semester finals as required through their Customized Instruction Course outline or by their online approved teacher. Some examples of these assessments are: unit tests, research reports, critical analysis essays, lab reports, short stories, plays, lap books, and pictures and reflections on field trips, participation in

theater/voice performances, and community service trips. Work must be graded and commented on by parent and/or teacher with the oversight of the teacher. Student performance is evaluated through these samples which are used to measure and observe progress and verify attendance.

## **Report Cards**

At EACS, transitional kindergarten through fifth grade students are graded based on a 4 - 1 scale that provides the ToR and the parents a clear understanding of student performance and growth. Students in grades 6 through 12 earn grades using the standard A-F scale, and they are specific to the grading scale.

## **2) Use and Reporting of Data Collecting, Analyzing, and Utilizing Data**

School-wide state assessment results are disaggregated and analyzed, and results are synthesized and shared with all stakeholders in a public board meeting. Individual results (CAASPP, CAST, PFT, ELPAC) are electronically shared with families, while summary results are analyzed by administration. Additionally, results are shared with staff members and ToRs are provided with their students' scores. On individual level, EACS staff members review student score reports with students and parents, so that students are given an opportunity to see how they performed, have the results explained to them, and have conversations about strengths, weaknesses, college readiness, and what these scores mean to the student personally. ToRs provide individual student feedback regarding state assessments to parents during the LP meeting.

The Charter School relies on the robust data collection and reporting abilities inherent in the SIS and local assessment interfaces. The web-based SIS stores comprehensive data about students, instructors, courses, applications, and enrollments in a single database, enabling educators to quickly retrieve information and create custom reports. Charter School faculty has access to reports that detail students' progress and challenges and can take advantage of a variety of automated interventions to help keep students on track.

The current local assessment, i-Ready, yields easy to use reporting and ongoing progress monitoring which provide parents and teachers with real-time insights for each student. Using advanced technology, the ToR dynamically adapts based on student response patterns, which allows the assessment to be more accurate and efficient in pinpointing students' needs as compared to traditional fixed-form tests.

More specifically, as the diagnostic adapts, it provides easier or harder questions depending on students' answers to previous questions. By adapting across grades K-12, the diagnostic helps teachers understand the root causes behind student challenges. This is especially beneficial for teachers and parents in providing differentiated instruction, for identifying gaps spanning back multiple years, or determining where students are ready for further challenges.

Based on the diagnostic results, i-Ready automatically provides access to individualized online and teacher-led instruction targeted to each student's unique needs. In addition, easy-to-read reports provide teachers and parents with a detailed action plan for individual instruction, as well as the tools needed to deliver that instruction.

These data, mechanisms, and intervention procedures are used by teachers to assess each student's needs and deploy appropriate modifications. Teachers adjust and enhance course content with a variety of student assignments, projects, and assessments, each created to address different learning styles, levels of challenge, or student needs. In addition, ToRs may adjust curriculum, materials, and services in order to ensure students are maximizing their potential.

### **Reporting Data to Stakeholders**

School-wide state assessment results are disaggregated and analyzed, and results are synthesized and shared with all stakeholders in a public board meeting. EACS will provide requested reports to the District and Governing Board as needed. Individual results (CAASPP, CAST, PFT, ELPAC) are electronically shared and accessed through our parent portal in School Pathways.

During an LP meeting, EACS teachers individually review student score reports with students and parents, so that students are given an opportunity to see how they performed, have the results explained to them, and have conversations about strengths, weaknesses, college and career readiness, and what these scores mean to the student personally.

Like other public schools, the virtual/homeschool charter's annual performance will be shared with the community via the state's school dashboard system that reports academic performance, which is then published and freely available online at the California Department of Education website.

## **ELEMENT 4: GOVERNANCE STRUCTURE**

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

The petitioners believe that establishing sound legal status and governance practices with clearly delineated roles and responsibilities from the outset is essential to sustaining the program for long-term success. EACS will be a directly funded independent charter school, and will be operated by Community Collaborative Charter School (“CCCS”), a California nonprofit public benefit corporation, pursuant to California law upon approval of this charter.

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

CCCS has received its full tax-exempt status from the federal and California state governments, under the federal Internal Revenue Code Section 501(c)(3) and the companion California state tax laws and regulations. See Exhibit C for copies of the Articles of Incorporation, corporate bylaws, and Conflict of Interest Code, and see Exhibit D for copies of the Tax ID information and non-profit tax exempt status documentation. CCCS will be governed by a set of mission-driven policies and procedures to help staff and administrators perform their daily responsibilities with a focus on the Charter School’s mission. The Charter School’s bylaws, adopted by the governing board, will be the primary policy document dictating board practices and operations. The bylaws will explicitly delineate the procedure for election and appointment, removal and vacancy of Board of Directors and policies and procedures for conducting board meetings and general board operations.

### **Governance Structure**

EACS will be governed by the CCCS Board of Directors in accordance with its adopted bylaws, which shall be consistent with the terms of this charter.

The Board shall have no fewer than three (3) and no more than nine (9) directors. All directors shall be designated by the existing governing board. All directors are to be designated at the corporation’s annual meeting of the governing board.

To establish continuity and sustainability for the new charter school, initial governing board members shall each serve a fixed five-year term. In CCCS’s fifth year of operation new governing board members will be elected to one, two, and three-year terms, as determined by the then seated governing board, consistent with the bylaws. All governing board members, thereafter, will be elected to serve three-year terms.

In accordance with Education Code Section 47604(b), the District may appoint a representative to sit on the CCCS governing board.

## **Governing Board Duties**

EACS's governance responsibilities will primarily be divided between the Board of Directors, CCCS's CEO, and the Executive Director. The Executive Director and faculty will carry out the day-to-day operations of the Charter School, with the Executive Director having primary responsibility to conduct and manage the daily operations. The Board of Directors will set policy, approve the budget, and assure that the Charter School maintains high academic standards. The CCCS Board of Directors shall have ultimate responsibility to oversee the operation and activities of the Charter School.

The governing board's major roles and responsibilities will include:

1. Establishing and approving all major educational and operational policies.
2. Approving all major contracts.
3. Approving the Charter School's annual budget and overseeing the Charter School's fiscal affairs.
4. Hearing expulsion recommendations at scheduled Board of Directors Meetings to meet the 30 day timeframe for expulsion requirements.
5. Evaluating the Chief Executive Officer, who will be responsible for evaluating the Executive Director who oversees the day-to-day operations of the Charter School and implementing the policy direction of the Board.
6. Developing annual goals for the Charter School and long range plans with input from the CEO, the Executive Director, teachers, and parent advisory council members.
7. Receiving reports from, and providing recommendations to the CEO and the Executive Director relative to long-term strategic planning.
8. Assessing EACS's goals, objectives, academic achievements/student progress, financial status, and any need for redirection.
9. Evaluating Charter School and student performance.

The Board of Directors is responsible for the accountability requirements established by the California Charter Schools Act of 1992 and the charter itself. One of the governing board's primary responsibilities is to ensure that EACS is meeting annual accountability targets. The Board of Directors will routinely evaluate the academic, financial, and legal/compliance health of the Charter School and update the District on our progress toward goals, actions, and outcomes outlined in our LCAP.

The Board of Directors objective is to develop a LCAP that demonstrates measurable annual progress toward meeting the Charter School's high standards for pupil success, and to oversee the implementation of that plan by the Charter School's CEO and Executive Director.

## **Board Training and Sustainability**

CCCS founders and Board members are committed to continuous improvement and ongoing training to assist the Board of Directors In fulfilling its responsibilities to act as stewards for the Charter School. To this end, the CCCS Board will seek appropriate training and educational

opportunities to more effectively govern EACS's operations. Such training experiences may include individual training sessions with legal counsel or other experts familiar with public school governance, and/or training sessions with charter school governance experts. The Charter School will maintain in effect general liability and board errors and omissions insurance policies. The Charter School has adopted a Conflict of Interest Code that complies with the Political Reform Act and Corporations Code conflict of interest rules, and which shall be updated with any charter school-specific conflict of interest laws or regulations. As noted above, the Conflict of Interest Code is attached within Exhibit C.

## **Parental Involvement**

EACS believes that active parent, student, and employee participation in Charter School operations and governance helps foster a public school's long-term sustainability as a successful program. EACS will encourage parent involvement and will ensure that all faculty practice open communication to enable every parent to take an active role in the academic progress of their enrolled child as well as in the direction and governance of the Charter School.

EACS will establish an advisory council that may be comprised of parents, students, certificated staff, and classified staff. The advisory council will play an important role in making EACS a school that is responsive to staff's, student's, and parents' needs, and will provide for continual improvement. The advisory council will meet regularly and function to address and make recommendations to the Executive Director regarding specific areas of Charter School operations.

The EACS academic model requires frequent outreach to parents and easy accessibility to faculty. Parents will receive various email notifications regarding their child's pace and progress, and all parents/guardians will have at least monthly contact with their student's academic team.

Parents may be surveyed at least once a year to determine their satisfaction levels with the Charter School with respect to open governance, curriculum, instructional design and delivery methods, achievement of performance objectives, and other metrics that factor into the Charter School's governance and accountability.

These multiple reporting mechanisms, combined with the availability of faculty to parents during and beyond normal business hours, are designed to keep parents apprised, informed, and involved. This puts parents in a position to influence school decisions affecting their child.

The forum for major Charter School decisions will be public meetings of the Board of Directors. EACS will post Board agendas on its website in compliance with the Brown Act, so parents will have the opportunity to share concerns and provide written and oral testimony regarding decisions pending before the Board.

## **ELEMENT 5: EMPLOYEE QUALIFICATIONS**

*Governing Law: The qualifications to be met by individuals to be employed by the charter school.  
– California Education Code Section 47605(b)(5)(E)*

EACS is dedicated to hiring exemplary staff who are committed to its mission, vision and values. All administrators, faculty, and staff members to be employed by EACS must possess the

qualifications, knowledge base, and experience essential to successfully fulfill their responsibilities as determined by the EACS's Board of Directors, CEO, and Executive Director. EACS will ensure that all applicable legal requirements are met for teachers, staff, paraprofessionals and other administrative employees of the Charter School. Each certificated employee at the Charter School will meet the applicable state licensing and/or credentialing requirements. For all positions, certificated and non-certificated, the employee, at minimum needs to satisfactorily meet the performance specifications EACS requires for the position, as outlined below, and must possess the qualifications required to perform the essential functions of the position, as determined by the EACS's Board of Directors and Executive Director.

EACS is an equal opportunity employer and does not discriminate against individuals based on actual or perceived race, color, creed, actual or perceived gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partner status, status as a victim of domestic violence, assault or stalking, age, ethnicity, national origin or ancestry, citizenship, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or a related medical condition), genetic information, sexual orientation, political affiliation, military and veteran status or any other consideration made unlawful by federal, state, or local laws. Excel Academy complies with the Americans with Disabilities Act to ensure equal access to all qualified individuals with a disability. Background checks are conducted on all prospective new hires.

## **Hiring Plan**

EACS seeks to hire a diverse faculty composed of highly effective teachers, and highly skilled professionals who express an understanding of and support for our mission and student population. We will achieve this goal by recruiting and compensating our faculty and staff based on their ability to meet the needs of our program as outlined in our hiring and evaluation rubric. The rubric will contain qualifications and criteria directly aligned to the qualities we believe are essential for effective teaching and learning within the EACS program, as outlined in Element I of this charter petition.

The Executive Director will prepare and recommend to the Charter School Board of Directors For approval, salary and benefit levels, working conditions and work year characteristics (e.g. length of year and day and vacation policies) for all employees that will allow Charter School to attract and retain the caliber of employees necessary for the Charter School's success.

## **Faculty and Staff Qualifications**

EACS has a highly specified set of qualities it will require of its teaching faculty. Pursuant to the Every Student Succeeds Act, charter schools are free to design personnel systems and hire staff that meet the unique needs of the charter school. All teachers and paraprofessionals at EACS will meet applicable state certification and licensure requirements. Teachers will meet the credentialing requirements, which also comprise employment qualifications, for employment as stipulated by the following California Education Code Sections:

Section 47605(l):

*“Teachers in charter schools 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...It is the intent of the Legislature that charter schools be given flexibility with regard to non core, non college preparatory courses.”*

Section 44865(k):

*“A valid teaching credential issued by the State Board or the Commission on Teacher Credentialing, based on a bachelor’s degree, student teaching, and special fitness to perform, shall be deemed qualifying for assignment as a teacher in [an independent study] assignment, provided that the assignment of a teacher to a position for which qualifications are prescribed by this section shall be made only with the consent of the teacher.”*

The teacher is responsible for implementing appropriate strategies that assist each student in achieving his/her academic potential while also providing superior customer service to all internal and external customers.

Typical activities for the teacher may include:

- Evaluate student work as prescribed by EACS’s grading policy, and provide feedback on graded assignments, in which students are encouraged to be actively engaged in the learning process.
- Contribute to a climate where students are actively engaged in meaningful learning experiences.
- Work with the leadership team and other EACS instructors to produce learning experiences suited to the grade level and to the student developmental level that will enhance student achievement.
- Communicate in a professional manner.
- Award and update student attendance in the student information system.
- Model professional and ethical standards when dealing with students, parents and community.
- Meet established deadlines.
- Conform with and abide by EACS work procedures and instructions, and EACS regulations and policies.
- Attend IEP meetings and complete necessary documentation.
- When requested, participate in student and parent/guardian conferences, marketing events and proctor exams.
- Participate in committees and organizations as needed.
- Maintain effective and efficient records.
- Implement curriculum using activities that contribute to a climate where students are actively engaged in meaningful learning experiences and be available to assist students in-person or via phone, email and instant message.
- Identify, select, and modify instructional resources to meet the need of students with varying backgrounds, learning styles, and special needs.
- Approach situations with a student-centered attitude and flexibility that promotes student success.
- Partake in professional development opportunities.

## **Administrative and Non-Instructional Staff**

The Charter School will seek administrative and operational staff members who have demonstrated experience or expertise in the issues and work tasks required of them. They will be provided professional development opportunities to ensure that they remain abreast of all relevant changes in laws appropriate for their position within the Charter School as outlined in the school's staffing plan and the Charter School's adopted personnel policies. *See Exhibit E for administrative job descriptions for key positions and their requisite qualifications.*

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

Prior to employment, each employee will submit to a criminal background check as required by Education Code Section 44237. Prior to beginning work, all employees will be required to undergo a criminal background check prior to hiring through a LiveScan fingerprint process secured by the California Department of Justice. These services will occur where the LiveScan service is offered, which may be located at district, county or local college facilities. The Charter School will adhere to California laws including fingerprinting, drug testing, and prohibitions regarding the employment of persons who have been convicted of a violent or serious felony.

All employees, and any volunteer who may have frequent or prolonged contact with students, must undergo a tuberculosis risk assessment and/or examination (if necessary) and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, or otherwise meet the requirements of Education Code Section 49406. Employees must also furnish proof of documents establishing legal employment status. The Executive Director and/or administrative designee will be responsible for monitoring and maintaining documentation of medical and criminal investigation clearances, as required by California and federal laws.

The Executive Director will have the authority to recruit and interview candidates and make hiring recommendations to the Board of Directors for approval.

The Executive Director and/or designee will have the responsibility of evaluating the performance of the teaching and administrative staff, and to review the results of the performance reviews with the governing board. The EACS Board of Directors has the right, if it so chooses, to review these performance reviews before they are delivered to the staff members.

The Executive Director, with input from the EACS governing board, will determine the criteria by which to judge the performance of employees prior to conducting a formal performance review. These criteria will be tied directly to EACS's educational program goals, mission, vision and will utilize a performance review rubric. The rubric will, among other criteria, be used to tie job reviews to relevant performance areas such as delineated in individual job descriptions, school and individual smart goals, and, in some instances, student performance as measured by criteria listed earlier this charter.

The EACS Board of Directors will create the job and performance review of the CEO. The CEO's performance will be objectively evaluated based on school and student success as reflected in a predefined set of performance criteria.

## **Professional Development for Instructional Staff**

EACS is committed to the ongoing improvement of its staff. Relevant professional development conferences (ex. CCSA, CSDC, iNACOL, ACSA) will be attended where to keep up to date and be

informed on current educational trends. For leadership, professional development meetings are held regularly. We also hold in person meetings to cover topics such as human resources, special education, legal trends and more. AVID training will also be provided for school-wide AVID implementation.

All Charter School employees who are mandated reporters, as defined in Section 11165.7 of the Penal Code will be trained in their role as a mandated reporter. Additionally, staff will complete other school safety trainings on topics such as bloodborne pathogen safety and sexual harassment.

Our professional development program for new teachers is structured in three parts: onboarding, first year induction (mentoring), and continuing education:

## **Onboarding**

- Mission, vision and core values
- Understanding the virtual/homeschool educational experience
- Working within online systems (e.g. ordering system and virtual classroom) and student information system
- Communicating with students and parents
- Understanding and using online and homeschool metrics
- Motivating students and meeting the unique needs of students
- Monitoring and guiding student pacing
- Managing the protocols of online and homeschool learning: pace charts, contact histories, grading, various educational philosophies
- Technology tools for effective teaching

## **Mentoring**

During their first year, teachers are partnered with experienced educators to support them. Teachers new to the profession will be required to complete an induction program.

## **Continuing education**

- Teachers are provided with opportunities to expand their knowledge of personalized learning strategies throughout the year by participating in various professional development programs.
- Teachers are surveyed to determine areas of need, and EACS will provide programs to meet the expressed needs.

## **Individual Professional Development Plans**

Additionally, all full-time school staff members are required to develop annual SMART goals that identify areas of development that will lead to professional growth. This plan will be developed in conjunction with the Executive Director or designee overseeing the employee's job review. Some areas of growth might include:

- Serving on a recognized committee
- Serving as a mentor for new school staff

- Presenting at a Charter School professional development opportunity
- Measurable implementation of selected best practices methodology that will be employed to improve support for student success.

EACS will also allot monies every year to support individual professional development activities.

### **Authority and Responsibility**

The Executive Director and/or designee is responsible for monitoring teacher credentials and qualifications relative to their positions. While the Charter School administration is responsible for working with each teacher in the development and management of an individualized professional development plan, the Executive Director and/or designee ensures that state mandates are appropriately enforced in all schools. This work is further supported by the oversight of the EACS Board of Directors.

## **ELEMENT 6: HEALTH & SAFETY POLICIES**

*Governing Law: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:*

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school. — California Education Code Section 47605(b)(5)(F)*

Prior to commencing instruction, EACS will adopt and implement a comprehensive set of health, safety, and risk management policies. In general, health and safety matters will be dealt with in accordance with these EACS policies. These policies will be developed in consultation with the Charter School's insurance carriers and at a minimum will address the topics discussed below. These policies and procedures will be incorporated as appropriate into the Charter School's student and staff handbooks and will be reviewed on an ongoing basis in the Charter School's staff development efforts and Board of Directors policies.

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

### **Procedures for Background Checks**

Employees and contractors of EACS will be 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. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Executive Director or designee will be responsible for monitoring compliance with this policy and reporting to the Charter School Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Executive Director. 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.

### **Tuberculosis Risk Assessment and Examination**

All employees, and volunteers who have frequent or prolonged contact with students, will be required to undergo a tuberculosis ("TB") risk assessment and examined (if necessary) prior to employment/service, and for employees at least once each four years thereafter, as required by Education Code Section 49406. Charter School shall maintain TB clearance records and certificates on file.

## **Vision, Hearing, and Scoliosis**

If required by federal or state law, the Charter School will provide screening for student vision, hearing and scoliosis. The Charter School will adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by the Charter School.

## **Immunizations**

All enrolling students who receive classroom-based instruction will be 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 7<sup>th</sup> grade students who receive classroom-based instruction must be immunized with a pertussis (whooping cough) vaccine booster.

The Charter School shall exclude students from participation in classroom-based activities if the student is not immunized in accordance with applicable law. Those parents who have difficulty obtaining immunizations for their children will be provided information on where to get immunized in their community.

## **Medication in School**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

## **Diabetes**

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but not be 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 methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

## **Suicide Prevention Policy**

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215.

## **Feminine Hygiene Products**

The Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

## **Nutritionally Adequate Free or Reduced Price Meal**

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day. The Charter School shall provide this meal for any eligible student on any school day that the student is scheduled for educational activities, as defined in Education Code Section 49010, lasting two or more hours, at a school site, resource center, meeting space, or other satellite facility operated by the Charter School.

## **California Healthy Youth Act**

The Charter School shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-12, at least once in middle school and at least once in high school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

## **Comprehensive School Safety Plan**

The Charter School shall adopt a Comprehensive School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include, but not be limited to: (1) an assessment of the current status of school crime committed on Charter School facilities and at Charter School related functions; and (2) identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School’s procedures for complying with applicable laws related to school safety, which shall include the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Section 48915 and other Charter School designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing “gang related apparel,” if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on Charter School discipline
- procedures for conducting tactical responses to criminal incidents

## **Emergency Preparedness**

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

### **Facilities Safety**

Because EACS will operate an independent study personalized learning program, there will be no need for a school building where classes are held on a daily basis. For administrative facilities, EACS will comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School will comply with all other applicable federal, state, and local building codes and requirements applicable to California charter schools, including the Americans with Disabilities Act, and other applicable fire, health, and structural safety requirements, and will maintain on file records documenting such compliance. EACS will ensure that its offices will be housed in facilities that have received state Fire Marshal approval and that have been evaluated by a qualified structural engineer who has determined the facilities present no substantial seismic safety hazard. The Charter School will obtain all necessary permits for these offices including a building and fire marshal inspection and/or a certificate of occupancy. 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.

### **Drug-, Alcohol-, and Smoke-Free Environment**

EACS shall function as a drug, alcohol, and smoke-free environment.

### **Blood-borne Pathogens**

EACS shall meet state and federal standards for dealing with blood-borne pathogens and other potentially infectious materials in the workplace. An "Exposure Control Plan" shall be designed to protect employees from possible infection due to contact with blood-borne viruses, including HIV and hepatitis B virus ("HBV"). Whenever exposed to blood or other body fluids through injury or accident, students, and staff should follow the latest medical protocol for disinfecting procedures.

### **Child Abuse Prevention and Reporting**

EACS will maintain detailed policies and procedures for the immediate reporting of suspected child abuse, neglect, acts of violence, or other improprieties. Such policies will detail the role and obligation of staff in the reporting of child abuse pursuant to Penal Code Section 11164 et seq. All staff will be mandated child abuse reporters and will follow all applicable reporting laws. Charter School shall provide all employees, and other persons working on behalf of Charter School who are mandated reporters, with annual training on child abuse detection and reporting, in accordance with Education Code Section 44691.

### **Comprehensive Anti-Discrimination and Harassment Policies and Procedures**

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School shall develop a comprehensive policy to prevent and immediately remediate any concerns about 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 anti-discrimination and harassment policies.

## **ELEMENT 7: RACIAL & ETHNIC BALANCE**

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

EACS will actively recruit a diverse student population from within its legally prescribed service area. Within that boundary, admission will be open to any California resident, and all students will be considered for admission without regard to any characteristic listed in Education Code Section 220 (or association with an individual who has any of those characteristics).

EACS will implement a student recruitment strategy that will be represented by, but is not necessarily limited to, a combination of elements or strategies to ensure a diverse student body and a racial and ethnic balance among students that is reflective of the general population residing within the District. This may include, but is not limited to, advertising on social media and in local newspapers or mailers, collaborating with vendors, community sponsored vendor events and attending local conventions in communities that are populated with the students from the imbalanced racial or ethnic group.

## **ELEMENT 8: ADMISSION POLICIES AND PROCEDURES**

*Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d).*

*– California Education Code Section 47605(b)(5)(H)*

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

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

The Charter School shall require students who wish to attend the Charter School to complete an application form. After admission, all students and their parents/guardians must complete and submit an enrollment packet, which includes agreeing to and signing the Master Agreement and Acknowledgement of Responsibilities (“AOR”). All students’ continued enrollment shall depend upon them fulfilling the terms of the Master Agreement.

Enrollment space will be based on need in the community and availability of qualified, trained qualified credentialed teachers to serve as the teacher of record.

### **Recruiting and Admissions Cycle**

The Charter School will establish an annual recruiting and admissions cycle, which shall include reasonable time for all of the following: (1) outreach and marketing, (2) orientation sessions for students and parents, (3) an admissions application period, (4) an admissions lottery, if necessary, and (5) enrollment. The Charter School may fill vacancies or openings that become available after this process using a waiting list created in accordance with the admissions lottery procedures specified in this charter.

### **Timeline for Recruiting and Enrollment**

The Charter School will recruit and enroll students from areas from which they are legally allowed to recruit and enroll. Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any region has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing (or “lottery”) to determine admission for the impacted region, with the exception of existing students, who are guaranteed admission in the following school year. In any year in which a random public drawing is not required because the number of applications does not exceed the Charter School’s capacity, EACS will admit all students who meet the admission

and application requirements stated in the Charter. Applications for admission will be accessible the Charter School's website.

## **Lottery – Public Random Drawing**

In the event that the number of students seeking admission to any region exceeds capacity, a lottery will be held for the impacted regions, with the exception of existing students, who are guaranteed admission in the following school year. It will be completed in a physical or virtual public forum large enough to accommodate all those who wish to attend.

Once a child has been enrolled as a student at EACS, they have the right to continue here until they have completed the highest grade we offer. Students who are currently enrolled at EACS must re-commit for the following school year by the end of open enrollment by signing a Master Agreement for the following year.

Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of students admitted to or attending the Charter School;
2. Children of Charter School staff;
3. Students who have been previously enrolled in EACS;
4. Residents of the District;
5. All other applicants

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

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled by region by the designated lottery official (appointed by the Executive Director). Separate lotteries shall be conducted for each region in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. There is no weighted priority assigned to the preference categories; rather, within each region, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that region have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

At the conclusion of the lottery, all students who were not granted admission due to capacity will be placed on a waiting list in the order drawn. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year.

Admission will not be based on prior student performance or admission testing. Post matriculation, various assessments may be administered to determine the student's readiness for the grade of entrance requirements or maintenance of said grade. These instruments aid in the development of individualized learning plans for students.

If EACS receives applications after the open enrollment period and lottery and before the applicable school year has started, the Charter School will place students in the Charter School in the order the applications are received, if the Charter School has capacity to serve the students based on the students' county of residence.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform all applicants and interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year.

## **ELEMENT 9: INDEPENDENT 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. — California Education Code Section 47605(b)(5)(I)*

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

The EACS Board of Directors either directly, or through an audit committee it may form each fiscal year, shall oversee selection of an independent auditor and the completion of an annual audit of the Charter School’s financial affairs. The auditor will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider. The audit will verify the accuracy of the Charter School’s financial statements, attendance and enrollment, and accounting practices, and will review the Charter School’s internal controls.

To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars.

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the California Department of Education, and the State Controller by December 15 each year. The Charter School’s audit committee, if any, will review any audit exceptions or deficiencies and report to the Charter School’s Board of Directors with recommendations on how to resolve them. The Board of Directors will report to the District regarding how the exceptions and deficiencies have been or will be resolved to the District’s satisfaction. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

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

## **ELEMENT 10: SUSPENSION/EXPULSION PROCEDURES**

*Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:*

- (i) *For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.*
- (ii) *For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*
  - (I) *Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*
  - (II) *Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*
- (iii) *Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). – California Education Code Section 47605(b)(5)(J)*

## **Policy:**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning, provide for the safety of students, staff, and visitors to EACS and serve the best interests of students and their parents or guardians. In creating this policy, the Charter School reviewed Education Code Section 48900 *et seq.*, which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion

When the Policy is violated, it may be necessary to suspend or expel a student from regular instruction. This policy shall serve as EACS's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. EACS staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. EACS will develop a procedure for the periodic review and amendment of this Policy and, in particular, the lists of offenses for suspension or expulsion.

EACS administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this Policy and Procedures are available on request.

Corporal punishment shall not be used as a disciplinary measure against any student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom EACS 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 general education students except when federal and state law mandates additional or different procedures. EACS will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom EACS has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

## Outline of Responsibilities that May Result in Involuntary Removal

### Attendance

The credentialed teacher of record awards attendance in accordance with applicable law and based on two criteria: 1. The overall amount of learning completed/attained and 2. That some learning occurred on each date of attendance. As indicated in the Governing Board independent study policy, once a student has three missed assignments during a given learning period, the student is no longer in good standing. For purposes of attendance, three assignments is defined as 30% of the assigned learning for the given learning period. The student must complete at least 70% of the learning for that period and must be able to demonstrate that learning to the teacher of record in order to remain in good standing. The credentialed teacher of record uses their professional determination to assign the percent of learning that occurred. Additionally, the student must

bring a work sample that aligns to their learning in each of the courses in which the student is enrolled.

Additionally, the student and parent/guardian must attend all scheduled learning period meetings. Missing a meeting results in zero attendance being awarded and a second meeting must be scheduled within five days to evaluate if attendance may be claimed.

## **Procedures:**

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

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

### **B. Enumerated Offenses**

#### **1. Discretionary Suspension Offenses**

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

- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
- b. Willfully used force or violence upon the person of another, except self- defense.
- c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as a controlled substance, alcoholic beverage, or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property, which includes, but is not limited to, electronic files and databases.
- g. Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

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

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (I) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- 3) Notwithstanding the subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- w. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence

For a pupil subject to discipline under this section, the Executive Director may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior.

## **2. Non-Discretionary Suspension Offenses:**

Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a. Possessing, selling, or otherwise furnishing any firearm, 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 Executive Director or designee's concurrence.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 *et seq.*
- d. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code 48900(n).

## **3. Discretionary Expellable Offenses:**

Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
- b. Willfully used force or violence upon the person of another, except self- defense.
- c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as a controlled substance, alcoholic beverage, or intoxicant.
- e. Committed or attempted to commit robbery or extortion.

- f. Caused or attempted to cause damage to school property or private property, which includes, but is not limited to, electronic files and databases.
- g. Stole or attempted to steal school property or private property, which includes, but is not limited to, electronic files and databases.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- l. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness and/or retaliating against that pupil for being a witness.
- n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- p. Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site including, but not limited to:
      - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
      - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (I) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
    - iii. An act of cyber sexual bullying.
      - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a

photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- 3) Notwithstanding the subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- v. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

#### **4. Non-Discretionary Expellable Offenses:**

Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a. Possessing, selling, or otherwise furnishing any firearm, 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 Executive Director or designee's concurrence.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 *et seq.*
- d. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in Education Code 48900(n).

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

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or

receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

### **C. 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 Executive Director or his/her designee with the student and his or her parent and whenever practical, the teacher, supervisor or EACS employee who referred the student to the Executive Director or designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i).

This conference shall be held within (2) two school days unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with EACS officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

#### **2. Notice to Parents/Guardians**

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

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

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. The total number of days of suspension shall not exceed twenty (20) school days per year. Upon a recommendation of expulsion by the Executive Director or designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

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

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

A student may be expelled by the neutral and impartial Charter School Board of Directors following a hearing before it. The Board of Directors shall be presided over by a designated neutral hearing chairperson. The Board of Directors shall make the final determination whether or not to expel the student.

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

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

The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;

4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. EACS must also provide the victim a room separate from the hearing room for the complaining witnesses use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity 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 entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, EACS must present evidence that the witness's presence is both desired by the witness and will be helpful to the Charter School. The entity 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 public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

## **G. Record of Hearing**

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

## **H. Presentation of Evidence**

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

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

The decision of the Board of Directors shall be in the form of written findings of fact and a written determination regarding the expulsion. The final decision by the Board of Directors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the Board of Directors decides not to expel, the pupil shall immediately be returned to his/her educational program.

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

The Executive Director or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

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

### **J. Disciplinary Records**

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

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

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

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

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

### **M. Rehabilitation Plans**

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

### **N. Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of EACS's Board of Directors following a meeting with the Executive Director or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine

whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to EACS's Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon EACS capacity at the time the student seeks readmission.

## **O. Notice to Teachers**

The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

## **P. Involuntary Removal for Truancy**

As charter schools are schools of choice and as a charter school pupil who fails to meet attendance requirements is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the Charter School's Board adopted Independent Study Policy and only after the Charter School follows the requirements of the Independent Study Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal.

## **Q. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities**

1. Notification of SELPA  
EACS will immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who EACS or SELPA would be deemed to have knowledge that the student had a disability.
2. 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 (which could constitute a change of placement and the student's IEP would reflect this change) and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment 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.
3. Procedural Safeguards/Manifestation Determination  
Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, EACS, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If EACS, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If EACS, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that EACS 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 child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and EACS agree to a change of placement as part of the modification of the behavioral intervention plan

If EACS, the parent, and relevant members of the IEP/504 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/504, then EACS may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### 4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or EACS if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or EACS, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and EACS agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

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

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school 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 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting:

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

7. Procedures for Students Not Yet Eligible for Special Education Services:

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

EACS 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 EACS supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services; or
- b. The parent has requested an evaluation of the child; or
- c. The child's teacher, or other EACS personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the Director of special education or to other Charter School supervisory personnel.

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

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

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

## **ELEMENT 11: EMPLOYEE RETIREMENT SYSTEMS**

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

Faculty will participate in the federal social security system as required by law and will have access to their school-sponsored retirement plans according to policies developed and adopted by the Charter School Board of Directors. The Board will determine by board action to participate in California's State Teachers' Retirement System ("STRS") or an Internal Revenue Code Section 403(b) plan with employer contribution for its certificated staff, and plans to offer an Internal Revenue Code Section 403(b) plan with an employer contribution or other comparable benefits plan in conjunction with Social Security for all other staff. Teachers and staff may also have access to other school-sponsored retirement plans according to policies developed by the CCCS governing board for Charter School employees. The EACS Executive Director will be responsible for ensuring appropriate arrangements are made for the available employee retirement coverage.

If the Board of Directors chooses STRS in accordance with Education Code Section 47611.3, the County shall create any reports required by STRS. At the County's request, the Charter School shall pay the county a reasonable fee for the provision of such services. EACS retains the option for its Board of Directors to choose to participate in STRS, Public Employees' Retirements System, or Social Security depending upon employee eligibility and what the Board determines is in the best interest of the staff and the Charter School as a whole. This determination will be reflected in EACS's personnel policies and employment handbook and will be presented to employees prior to their employment with the Charter School.

## **ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES**

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

No student is required to attend EACS. Students who do not attend the Charter School may attend school within their local school district of residence or pursue an intra- or inter-district transfer in accordance with existing enrollment and transfer policies of their school district or county of residence.

Parents or guardians of each student enrolled in EACS will be informed on admissions forms that the student has no right to admission in a particular school of any local educational agency as a consequence of enrollment at EACS, except to the extent that such a right is offered by the local educational agency.

## **ELEMENT 13: EMPLOYEE RETURN RIGHTS**

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

No public school district employee shall be required to work at the Charter School. Members of EACS staff who leave employment in the District to work at EACS shall not have any automatic rights of return to the District after employment by the Charter School, without prior consent 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.

Employees who were not previous employees of the District will not become employees of the District and will not have the right to employment within the District upon leaving the employment of Charter School.

District employees cannot be required to work at EACS, nor can the District require the Charter School to hire District employees, with the exception of District employees provided to the Charter School as part of an agreement for services paid to the District by EACS under a separately negotiated agreement or memorandum of understanding.

Charter School employees are not subject to District transfers.

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 any other entity, including any rights in the case of closure of the Charter School.

## **ELEMENT 14: DISPUTE RESOLUTION**

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

EACS will adopt policies and processes for aiding and resolving internal and external disputes. EACS recognizes that it cannot bind the District to a dispute resolution procedure to which the District has not agreed. This dispute resolution procedure is intended as a starting point for discussion of and agreement to a mutually acceptable dispute resolution process. EACS is willing to consider changes to this procedure as suggested by the District.

### ***Intent***

The intent of this dispute resolution process is to (1) resolve disputes within the Charter School pursuant to the Charter School's policies, (2) minimize the oversight burden on the District as the

Charter School's authorizing agent, (3) ensure a fair and timely resolution of disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

The staff and Board of Directors of EACS and the Warner Unified School District agree to resolve all disputes regarding this charter pursuant to the terms of this section.

### ***Disputes Arising From Within the School***

Disputes over personnel discipline will not be covered by this dispute resolution process, and instead, will be resolved through the Charter School's personnel policies and procedures. EACS shall adopt comprehensive personnel policies and procedures, approved by the EACS Board of Directors that will be provided to each employee upon hire. These policies will set forth personnel obligations, rights, responsibilities, complaint procedures, discipline procedures, and other pertinent policies essential to preserving a safe and harmonious work environment. The Executive Director will resolve complaints and grievances and will administer any personnel discipline, with the assistance of the CEO and/or governing board, if necessary, in accordance with these policies.

EACS shall establish and provide a Uniform Complaint Policy and Procedure as required by state law. This procedure may be used to resolve internal disputes among parents, students, Board members, volunteers, and staff at the Charter School, and each shall be provided with a copy of the Charter School's policies and internal dispute resolution process. The District agrees to refer all complaints regarding the Charter School's operations to the EACS Executive Director for resolution in accordance with the Charter School's adopted policies.

### ***Disputes Between the Charter School and The District***

In the event that Charter School and the District have disputes regarding the terms of this charter or any other issue regarding the Charter School, the parties will agree to follow the process outlined below, as amended by mutual agreement.

In the event of a dispute between the Charter School and the District, both parties agree to first frame the issue in writing ("Written Notification") and refer the issue to the District Superintendent, and the Charter School's CEO, or their respective designees. In the event the District superintendent believes the dispute relates to an issue that could lead to revocation of the charter, the matter will be addressed in accordance with the laws and regulations pertaining to charter revocation. EACS requests that the existence of a disputed issue that could lead to charter revocation in accordance with Education Code Section 47607 be specifically noted in the Written Notification, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District's ability to proceed with revocation in accordance with Education Code Section 47607 and implementing regulations.

- a. **Meet and Confer:** Upon receipt of the Written Notification, the Charter School CEO and the District Superintendent, or their respective designees, shall informally meet and confer in a timely fashion to attempt to resolve the dispute no later than five (5) business days from receipt of the Written Notification. In the event that this informal meeting is unsuccessful, both parties shall identify two board members from their

respective boards who shall jointly meet with the superintendent of the District and the CEO of the Charter School and attempt to resolve the dispute within fifteen (15) business days from receipt of the Written Notification.

b. **Mediation:** If the dispute cannot be resolved at the informal meet and confer or the joint meeting, the parties shall schedule a mediation to resolve the matter. The parties shall mediate in good faith. The mediator shall be selected by mutual agreement of the parties. Each party shall bear its own attorneys' fees, costs, and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall be held within 60 calendar days of receipt of the Written Notification.

If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and the Charter School.

## **ELEMENT 15: PROCEDURES FOR CLOSURE**

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

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.

In the event the Charter School closes, EACS will promptly notify staff, parents/guardians and students of the Charter School, the District, the San Diego County Office of Education, the Charter School's SELPA, the retirement system in which the Charter School's employees participate, and the California Department of Education, in writing, as far in advance as possible. This notice shall include:

- The effective date of the closure;
- 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 Charter School 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 Charter School website will provide links to resident school district enrollment/transfer procedures if these are published online (limited to the home districts of currently enrolled students).

The Charter School 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 it will provide to the entity responsible for closure-related activities.

As applicable, the Charter School will provide parents/guardians, students and the District with copies of all appropriate student records, and will otherwise assist students in transferring to their next school. The Charter School 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 it will provide to the entity responsible for closure-related activities. EACS will maintain student records and personnel records for a term and in a manner consistent with applicable federal and state law. The Charter School will ask the District to store original records of Charter School students. All student 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 nonprofit 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 by 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 in Exhibit F, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above. The Board of Directors will allocate sufficient funding for, or otherwise determine how Charter School will fund these closure activities.

## **MISCELLANEOUS CHARTER PROVISIONS**

### **1) Budgets**

*Governing Law: The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation. – California Education Code Section 47605(g).*

A financial plan for the school, including a proposed first-year operational budget, startup costs, and cash flow, and financial projection for the first three years, is attached; see Exhibit F. This plan is based on the best data available to the developers at the time the plan was assembled.

### **2) Financial Reporting Financial Systems and Processes**

EACS will contract with a back office provider for most of the business operations of the Charter School. EACS's CEO will oversee those services.

EACS anticipates utilizing a back office provider to organize the Charter School's chart of accounts in an easy to use accounting software package (e.g., QuickBooks) and to train the CEO on the proper classification of entries utilizing this chart of accounts.

### **Financial Reports**

The Charter School shall provide reports to the District and County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.

3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

The Charter School will provide all reports to the District that are required by law, including but not limited to, the California Basic Educational Data System ("CBEDS"), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m), the School Accountability Report Card ("SARC"), and the LCAP.

The Charter School will implement an attendance recording and accounting system which complies with state law and the District's requirements.

The Charter anticipates applying for the Charter School Revolving Loan Fund. If it does so, EACS understands that it must comply with Education Code Section 41365 if it receives funds.

EACS will be a direct-funded charter school and anticipates depositing its funds in a non-speculative and federally insured bank account for use by the Charter School.

### **3) Insurance Certificates**

The Charter School shall acquire and finance general liability, workers' compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the District and the Charter School's insurer. The District Board of Education shall be named as an additional insured on all policies of the Charter School.

EACS shall keep on file certificates signed by an authorized representative of the insurance carrier. Certificates shall be endorsed as follows: The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District. Facsimile or reproduced signatures are not acceptable. The District reserves the right to require complete certified copies of the required insurance policies. Required insurance includes Commercial General Liability, Commercial Auto Liability, Worker's Compensation, Property and Fire, and Errors and Omissions. All insurance requirements shall be specified in an MOU with the District.

### **Optional Insurance**

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

## **Indemnification**

With respect to its operations under this charter, EACS shall, to the fullest extent permitted by law, hold harmless, indemnify, and defend the District, its officers, directors, and employees from and against any and all claims, demands, actions, suits, losses, liability expenses and costs including, without limitation, attorneys' fees and costs arising out of injury to any persons, including death or damage to any property caused by, connected with, or attributable to the willful misconduct, negligent acts, errors or omissions of EACS or its officers, employees, agents and consultants, excepting only those claims, demands, actions, suits, losses, liability expenses and costs caused by the negligence or willful misconduct of the District, its officers, directors and employees. The District shall be named as an additional insured under all insurance carried on behalf of EACS as outlined above.

## **5) Administrative Services**

*Governing Law: The manner in which administrative services of the charter school are to be provided. – California Education Code Section 47605(g).*

The Charter School will provide or procure its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

At any time, the Charter School may discuss the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between the Charter School and the District and subject to District availability and willingness to provide such services.

Pursuant to California law, the District will be required to provide certain oversight duties, including monitoring Charter School and student performance data, reviewing the Charter School's financial statements and audit reports, performing annual site visits, engaging in the dispute resolution process, and considering charter amendments and renewal requests.

EACS will coordinate with the county to report pertinent STRS payroll data if STRS is used. The county may request a reasonable fee for coordinating this transfer of data. The Charter School plans on obtaining its own health and benefits via small business plan type offerings from local vendors (e.g., Kaiser and Blue Cross).

## **Financial Management**

EACS's CEO will be responsible for administering and overseeing the Charter School under policies adopted by EACS's governing board. As described further below, the Charter School may

contract with a back office provider and School Pathways (as a student information systems and state reporting provider) for all or some of its operational, administrative, and financial services.

The back office provider and Student information system must demonstrate a track record of experience with virtual/homeschool public schools, and will meet the Charter School's service needs based on mandatory state data tracking and reporting requirements.

## **Material Contracts**

Excel Academy Charter School may contract the following material agreements for services:

- An agreement for payroll processing services.
- An agreement for accounting and tax services.
- An agreement with an independent financial auditor that meets the certification and licensure requirements for conducting an independent financial audit of California public schools.
  - This agreement will be made upon terms and conditions that are standard for the industry and will ensure a legally compliant annual audit of EACS's finances.
- An agreement for curriculum with Edgenuity, or another state approved curriculum, to supply EACS's online instructional program.
- An agreement with approved vendors to supply curriculum for the home school program.
- An agreement for student information systems with School Pathways or another high quality student information system.
- An agreement for back office services
- An agreement for an interactive online meeting space with Blackboard Collaborative.
- An agreement for Tech Support for faculty and students. ● An agreement for Website design and maintenance.

## **5) Facilities**

*The facilities to be utilized by the charter school. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. – California Education Code Section 47605(g).*

The Charter School shall be operated in a virtual/homeschool environment. As such, minimal facility usage is required. EACS will maintain a central administrative office wherein important student and personnel records will be maintained. Resource centers will be created in accordance with the law, as needed. Our teachers will meet with students either virtually or in mutually agreed upon public locations every twenty days with no resource center needed. One location where the Charter School will operate is 30951 CA-79, Warner Springs, CA 92086.

## **6) Transportation**

As a virtual/homeschool program, EACS does not anticipate providing any home to school or school to home transportation services; however, EACS will ensure that students with IEPs that require such services receive them. EACS does anticipate occasionally arranging for public, rented or parental transportation for field trip-type excursions and learning opportunities.

## **7) Potential Civil Liability Effects**

*Governing Law: Potential civil liability effects, if any, upon the charter school and upon the district. – California Education Code Section 47605(g).*

EACS shall be operated by a California nonprofit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

Pursuant to Education Code Section 47604(c), an authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation 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. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, the Charter School intends to enter into a memorandum of understanding with the District, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter.

The corporate bylaws of the Charter School shall provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School will purchase general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks.

The Charter School intends to purchase liability, property, and errors and omissions insurance as outlined above to protect the Charter School's assets, staff, Board of Directors, and, where appropriate, the district from unforeseen liability. Insurance amounts shall be determined by recommendation of the District and the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School Board shall institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

# GENERAL PROVISIONS OF THE PROPOSED CHARTER

## Term

The term of this Charter shall be July 1, 2019 – June 30, 2024. This Charter may be renewed for one or more subsequent five (5) year terms upon the mutual agreement of the parties.

## Revisions

Material revisions of this Charter may be made in writing with the mutual consent of the District and the EACS governing board. Material revisions shall be made pursuant to the standards, criteria, and timelines set forth in Education Code Section 47605; provided however that Charter School shall not be required to obtain petition signatures prior to making material revisions to the charter petition.

## Miscellaneous

The Warner Unified School District and Charter School may engage in a mutually agreeable MOU, which outlines further details of the relationship between the District and the Charter School. The MOU may include, but not be limited to, the following:

- transportation and food services to be provided by the District, if any
- services to be purchased by the Charter School from the District and the fee schedule for such services
- details of the oversight and monitoring relationship between the Charter School and the District
- mutual indemnification from loss
- cash advances to handle cash flow issues, if necessary
- Charter School's receipt of mandated cost reimbursement
- fiscal reporting requirements to the state, either independently or through the District ● District support for the Charter School in seeking additional funding

## Communication and Notices

All official communication between Excel Academy Charter School - South and the District will be sent via first class mail or other appropriate means to the Charter School CEO, the Executive Director, and the Superintendent of the District.